

MESCALERO APACHE TRIBAL COURT
MESCALERO APACHE RESERVATION, NEW MEXICO

_____,
Plaintiff,

Cause No: _____

VS.

_____,
Defendant.

MOTION TO RECUSE JUDGE

Comes now petitioner, _____ pro se or through counsel and moves to recuse the Honorable _____, the Judge presiding over this action or proceeding, as I believe that the Judge cannot preside over this action or proceeding with impartiality.

This request is pursuant to §2-1-7 (A) and (B) "Disqualification of a Judge" of the Mescalero Apache Tribal Code. This request is being filed in a criminal action or proceeding no later than five (5) days after arraignment or in civil actions or proceedings, not later than five (5) days after Answer has been filed by opposing party.

This is the only Judge that I have attempted or will attempt to disqualify as I am only allowed to disqualify one Judge per §2-1-7 (D).

Wherefore, petitioner respectfully moves and prays that the Honorable _____ be disqualified and that another judge be assigned to preside over any action or proceeding in the above named cause number.

Dated this _____ day of _____, 20____

Signature of Petitioner

Signature of Counsel

Print Name _____

Address _____

MOTION TO RECUSE JUDGE FORM
INSTRUCTIONS

Your name,

Cause No: Case number of your case

Plaintiff,

VS.

Name of other party in the case,

MOTION TO RECUSE JUDGE

Defendant.

Comes now petitioner, Your Name (printed) pro se (check this box if you do not have a lay advocate or counsel –you are representing yourself) or through counsel (Your Lay Counsel will use this box if they are filing on your behalf) and moves to recuse the Honorable The name of the Judge that you would like to have recused from your case, Judge presiding over this action or proceeding, as I believe that the Judge cannot preside over this action or proceeding with impartiality.

This request is pursuant to §2-1-7 (A) and (B) “Disqualification of a Judge” of the Mescalero Apache Tribal Code. This request is being filed in a criminal action or proceeding no later than five (5) days after arraignment or in civil actions or proceedings, not later than five (5) days after Answer has been filed by opposing party.

This is the only Judge that I have attempted or will attempt to disqualify as I am only allowed to disqualify one Judge per §2-1-7 (D).

Wherefore, petitioner respectfully moves and prays that the Honorable Name of the Judge be disqualified and that another judge be assigned to preside over any action or proceeding in the above named cause number.

Dated this _____ day of _____, 20____

Signature of Petitioner

Signature of Counsel

Print Name _____

Address _____

Sign your name or your counsel will sign if they are filing for you.
Print your physical address