

<p style="text-align: center;">PETITION FOR EMERGENCY TEMPORARY PROTECTIVE ORDER</p> <p style="text-align: center;">(Note: This form is for use when the Court is <u>NOT open</u> for business)</p>	<p>IN THE COMANCHE NATION TRIBAL COURT</p> <p>DISTRICT COURT</p>																																			
<p style="text-align: center;">Petitioner</p> <hr/> <p>First Middle Last</p> <p>and/or on behalf of minor family member(s)</p>	<p style="text-align: center;">Additional Petitioner Information</p> <p>Name(s) and age(s) of minor family member(s)</p> <hr/> <hr/> <hr/>																																			
<p style="text-align: center;">-VS-</p> <p style="text-align: center; margin-top: 20px;">Defendant</p> <hr/> <p>First Middle Last</p> <p>Relationship to Petitioner: _____</p> <p>Defendant's Address (Street address, City, State, Zip Code)</p>	<p style="text-align: center;">Defendant Identifiers</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <th style="width: 15%;">SEX</th> <th style="width: 15%;">RACE</th> <th style="width: 15%;">DOB</th> <th style="width: 15%;">HT</th> <th style="width: 15%;">WT</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <th>EYES</th> <th>HAIR</th> <th colspan="3">DISTINGUISHING FEATURES</th> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <th colspan="2">DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="2">EXPIRES</th> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> <tr> <td colspan="5">Other</td> </tr> </table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	DISTINGUISHING FEATURES								DRIVERS LICENSE #		STATE	EXPIRES							Other				
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(Clerk's File Stamp Below)

Petitioner, being sworn, states:

1. Petitioner's Relationship to the Defendant

INSTRUCTION: Check all boxes that apply to the relationship between Petitioner and Defendant

- | | |
|---|---|
| <input type="checkbox"/> Married
<input type="checkbox"/> Parent & Child
<input type="checkbox"/> Persons Related by Marriage
<input type="checkbox"/> Persons Living Same Household
<input type="checkbox"/> Biological Parents of Same Child
<input type="checkbox"/> Victim of Rape | <input type="checkbox"/> Divorced
<input type="checkbox"/> Persons Related by Blood
<input type="checkbox"/> Present Spouse of an Ex-Spouse
<input type="checkbox"/> Formerly Living in Same Household
<input type="checkbox"/> Persons in a Previous Dating Relationship |
|---|---|

2. Statement of Jurisdiction

INSTRUCTION: Check all that apply

Petitioner is a Native American, member of the _____ .

Defendant is a Native American, member of the _____ .

The domestic abuse occurred on Indian Trust Land within the Comanche Nation's jurisdiction this Petition is filed.

3. Actions of the Defendant

INSTRUCTION: Check and complete one or more of the following. Fill in the blank lines of checked items.

The Defendant has caused or attempted to cause physical harm to: _____ . (Name(s))

The Defendant has threatened* imminent physical harm to: _____ (Name(s))

4. Description of Incident(s)

Describe what happened, when and where the event(s) occurred.

ATTACH ADDITIONAL PAGES IF NECESSARY

5. Request for Order of Protection

INSTRUCTION: If granted, the EMERGENCY TEMPORARY EX PARTE ORDER shall be effective only until the close of business on the next day the Court is open for business. You must come to the courthouse on that day to ask the Court for further Protective Order relief. If the Court does NOT grant an Emergency Temporary Ex Parte Order, you may still file a Petition when the Court opens for business.

The Court is not open for business, and the Petitioner requests an EMERGENCY TEMPORARY EX PARTE ORDER because it is necessary to protect the Petitioner(s) from immediate and present danger of domestic abuse. Petitioner requests the Court to authorize a law enforcement officer to complete the written statement attached to this Petition, and to impose all terms and conditions in the Emergency Temporary Ex Parte Order which are necessary to protect the Petitioner(s) from the immediate and present danger of domestic abuse.

6. WARNINGS TO PETITIONER:

- A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury.
- B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff.
- C. It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties.

7. Sworn Statement/Affirmation of Truth

I have read the above and foregoing document, understand the meaning thereof, and declare, under penalty of perjury, that the facts and statements contained herein are true to the best of my knowledge and belief.

PETITIONER

DATE

**STATEMENT OF PEACE OFFICER ATTESTING TO
EMERGENCY TEMPORARY ORDER OF PROTECTION**

**INSTRUCTION: This section should be completed when the Emergency
Temporary Order is Granted**

Name of Attesting Officer	
Law Enforcement Agency	
Office Address	
Telephone Number(s)	
Date and Time of Judge's Authorization	Approval of Order was granted on this _____ day of _____, 20__ at ____:____ o'clock ____m

I hereby state and attest to the following facts:

1. The following individual, _____ (name of Petitioner), has requested an Emergency Temporary Order of Protection, and has completed the attached Petition for such Order.
2. The Court is not open for business at the time of this request.
3. I have notified Judge _____ of the District Court of the Comanche Nation Tribal Court of the request for an Emergency Temporary Order of Protection and I have described the circumstances to the Judge.
4. The Judge has found that there is reasonable cause to believe that the Order is necessary to protect the victim from immediate and present danger of domestic abuse, and has verbally APPROVED the Emergency Temporary Order of Protection, with the following terms:
 - a. Defendant is prohibited from attempting or having ANY CONTACT whatsoever with the Petitioner, hereinafter "protected person," either in person, through others or by telephone, mail, electronic means, or any other manner.
 - b. Defendant is prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the protected person(s), and from use, attempted use or threatened use of physical force against the

protected person(s) that would reasonably be expected to cause bodily injury.

- c. Defendant is prohibited from engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to the protected person(s) or the protected person(s) household members or relatives.

- d. Other Terms and Conditions Authorized by the Court:

- 5. The Judge has verbally directed me to complete and sign this statement attesting to the Order authorized by the Court.
- 6. This signed statement will serve as evidence of the verbal granting of the Emergency Temporary Order of Protection, and will remain in effect until the close of business on the next day the Court is open for business.

Signature of Attesting Officer

Date

INSTRUCTION TO PETITIONER: This EMERGENCY TEMPORARY EX PARTE ORDER shall be effective until the close of business on the next day the Court is open for business. You must come to the courthouse that day to ask the Court for further Protective Order relief.