PETITION FOR PROTECTIVE ORDER	**In the District Court for The Ponca Tribe of Oklahoma White Eagle, Oklahoma** Case No. PO-20_____-_____
Plaintiff/Petitioner First Middle Last and/or on behalf of minor family member(s)	**Additional Plaintiff/Petitioner Information** Name(s) and age(s) of minor family member(s)
vs. **Defendant/Respondent** First Middle Last Relationship to Plaintiff/Petitioner:	**SEX** / **RACE** / **DOB** / **HT** / **WEIGHT** **EYES** / **HAIR** / **DISTINGUISHING FEATURES** **DRIVER'S LICENSE #** / **STATE** / **EXPIRES**
Defendant/Respondent's Address (Street address, City, State, Zip Code) _____ _____	**OTHER**

- Are there any pending actions or judgment/orders in this Court or any other court between the Plaintiff/Petitioner and Defendant/Respondent? ☐ Yes ☐ No

If "yes", please list below:

Court (Tribal/County/etc)	Case Name	Case No	Case Type

Plaintiff/Petitioner, being sworn, states as follows:

1. Plaintiff's/Petitioner's Relationship to the Defendant/Respondent.

INSTRUCTIONS: Check ALL boxes that apply to the relationship between Plaintiff/Petitioner and Defendant/Respondent.

☐ Married

☐ Parent and Child

☐ Persons Related by Marriage

☐ Persons Living in Same Household

☐ Biological Parents of Same Child

☐ Victim of an Act of Sexual Nature

☐ Divorced

☐ Persons Related by Blood

☐ Present Spouse of an Ex-Spouse

☐ Formerly Living in Same Household

☐ Persons in a Previous Dating Relationship

2. Statement of Jurisdiction.

INSTRUCTIONS: Check ALL boxes that apply.

☐ Plaintiff/Petitioner is a member of the **Ponca Tribe of Oklahoma**.

☐ Defendant/Respondent is a member of the **Ponca Tribe of Oklahoma**.

☐ Plaintiff/Petitioner is a resident of or is employed within White Eagle wherein this Petition is filed.

☐ Defendant/Respondent is a resident of or is employed within White Eagle wherein this Petition is filed.

☐ Plaintiff/Petitioner is an Indian who resides within the Indian country of the Ponca Tribe of Oklahoma wherein this Petition is filed.

☐ Defendant/Respondent is an Indian who resides within the Indian country of the Ponca Tribe of Oklahoma wherein this Petition is filed.

☐ Plaintiff/Petitioner is a member of the _____ Tribe.

☐ Defendant/Respondent is a member of the _____ Tribe.

3. Actions of the Defendant/Respondent.

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

☐ The Defendant has **caused or has attempted to cause Domestic Violence or physical harm** to:

☐ Name(s):

_____

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

_____

☐ The Defendant has **harassed**:

Name(s): _____

According to the Ponca Tribal Code ,"harassment" means unwanted contact and or any of the following: a) a knowing and willful course or pattern of conduct

by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. b) a willful course or pattern of conduct by a person against a public official which based upon that public official's office causes the person to annoy or seriously alarm the public official, and which serves no legitimate purpose, and c) Telephone calls which are obscene or are threatening in nature.

☐ The Defendant has **stalked**:

Name(s): _____

According to the Ponca Tribal Code, "stalking" means the willful, malicious, and repeated following of a person, by an adult, emancipated minor or minor thirteen years of age or older, with the intent of placing the person in reasonable fear of death or great bodily injury. Stalking also means using intimidating acts against a person or personal property, using substantial intimidation or placing a person at a substantial safety risk; or the use of a third person to carry out acts that if done by the person using such person would result in stalking.

☐ Victim of an Act of Sexual Nature.

4. Description of Incident(s).

The incident(s) which caused the filing of the petition occurred on or about

_____

Date(s)

Describe what happened, when and where the event(s) occurred. List all actions or behaviors you intend to present to the Court at the hearing. (Attach additional pages, if necessary.)

_____

_____

_____

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5. Type of Order Requested.

INSTRUCTIONS: Check **either** A or B.

☐ A. Petitioner DOES NOT request an Emergency Ex Parte Protective Order, but does request the following relief, checked below, after notice and hearing, in a Final Order.

OR

☐ B. Petitioner DOES request an Emergency Ex Parte Order because it is necessary to protect the petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment. Petitioner requests the following relief, checked below, in the Ex Parte Order and, after notice and hearing, requests the same relief in a Final Order.

6. Relief Requested.

INSTRUCTIONS: Check EACH item which you are requesting from the Court.

☐ A. Defendant/Respondent should be prohibited from attempting or having **ANY CONTACT** whatsoever with the Plaintiff/Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court

☐ B. Defendant/Respondent should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Plaintiff/Petitioner, and from use, attempted use or threatened use of physical force against the Plaintiff/Petitioner that would reasonably be expected to cause bodily injury.

☐ C. Defendant/Respondent should be prohibited from engaging in other conduct that would place the Plaintiff/Petitioner in reasonable fear of bodily injury to the Plaintiff/Petitioner or the Plaintiff's/Petitioner's household members or relatives.

☐ D. Defendant/Respondent should be ordered to leave and remain away from the residence located at

_____, on or before the _____ day of _____, 20____, at _____ a.m./p.m., and take no action to change utilities or telephone service.

☐ E. The Court should order Law Enforcement Officers to accompany the Defendant/Respondent to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant/Respondent leaves the premises, and the Court should further order Defendant/Respondent NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.

☐ F. The Court should Order Law Enforcement Officers to accompany the Plaintiff/Petitioner (i.e. provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects and remain in attendance until Plaintiff/Petitioner leaves the premises. Such residence is located at the following address:

_____

_____.

☐ G. Order Defendant/Respondent, who is a minor, to leave the residence located at (address, city, state):

_____

by immediately placing Defendant/Respondent in any type of care authorized for children taken into custody pursuant to the Ponca Tribal Code.

Circle Age of Minor Defendant/Respondent: 13 14 15 16 17

☐ H. There is an existing child visitation order, and the Court should suspend or modify child visitation to protect the child(ren) from threats of abuse or physical violence by the Defendant/Respondent or a threat to violate a custody order.

☐ I. The Defendant/Respondent should be ordered to obtain domestic abuse counseling or treatment.

☐ J. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant/Respondent to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Plaintiff/Petitioner.

☐ K. Plaintiff/Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant/Respondent should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device.

☐ L. Defendant/Respondent should immediately surrender all firearms and other dangerous weapons within the Defendant's/Respondent's possession or control and any concealed carry license.

☐ M. The Defendant/Respondent should be ordered to pay the court costs and service of process fees; no fees or costs shall be charged to the Plaintiff/Petitioner.

☐ N. The Defendant/Respondent should be ordered to pay the Plaintiff's/Petitioner's attorney's fees in the amount of $ _____.

☐ O. PLAINTIFF/PETITIONER REQUESTS THE COURT TO ORDER THE FOLLOWING ADDITIONAL RELIEF:

_____

_____

_____

_____

_____

7. Warnings to Plaintiff/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. The penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than three (3) years.

B. 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 pursuant to the Ponca Tribal Code.

8. Sworn Statement/Affirmation of Truth.

Plaintiff/Petitioner, being first duly sworn on oath states: 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 SIGNATURE

_____

Printed Name

_____

Street Address

_____

City, State, Zip

_____

Phone No

_____

Email Address

Subscribed and sworn to before me this _____ day of _____, 20_____.

_____

Court Administrator/Clerk or Notary

Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

Name of Agency or Agencies (use additional pages if necessary)

Bureau of Indian Affairs
Kay County Sheriff's Office
Ponca City Police Department