

**IN THE TRIBAL DISTRICT COURT
OF THE PRAIRIE BAND POTAWATOMI NATION
11444 158TH ROAD, MAYETTA, KS, 66509**

_____, Plaintiff

Case No. _____

vs.

_____, Defendant

PETITION FOR RESTRAINING ORDER

STATEMENT TO THE COURT UNDER OATH: To file this petition, you must be able to tell the Court that the following statements are true. If the statements are not true, you cannot file this petition in this court until the statements are true. Check the box in front of each statement if the statement is true:

TRUE The incident(s) causing the filing of this petition occurred within the Prairie Band Potawatomi Nation's reservation boundaries.

TRUE This court has jurisdiction to hear this matter

Check all boxes that apply.

1. **PERSONS TO BE PROTECTED** (List names and ages of all persons **including yourself**, if applicable, to be protected by this order and their relationship to the party seeking the orders; all named parties over 18 years of age must sign this petition):
- | | | |
|-------------|------------|----------------------|
| Name: _____ | Age: _____ | Date of Birth: _____ |
| Name: _____ | Age: _____ | Date of Birth: _____ |
| Name: _____ | Age: _____ | Date of Birth: _____ |
| Name: _____ | Age: _____ | Date of Birth: _____ |
| Name: _____ | Age: _____ | Date of Birth: _____ |

2. a. Defendant (name): _____

Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female Ht: _____ Wt: _____ Hair color: _____ Race: _____ Age: _____ Date of birth: _____
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- b. Defendant's residence address (if known): _____
- c. Defendant's work address and name of business (if known): _____
- d. Defendant's home and cell number (if known): _____

3. This action is filed in this court because:
- a) defendant resides on the Prairie Band Potawatomi Reservation.
 - b) defendant has caused physical or emotional injury to plaintiff in this jurisdiction.
 - c) other (specify): _____

4. How is that you know defendant (i.e., landlord/tenant, neighbor, etc.)? (Specify): _____

5. Defendant has:
- a) threatened to commit acts of violence against plaintiff(s). (Specify in item 13)
 - b) committed acts of violence against plaintiff(s). (Specify in item 13)
 - c) not threatened to commit and has not committed any acts of violence.

- 6. Defendant has committed a series of acts that seriously alarm, annoy, or harass plaintiff. *(Specify in item 13)*
- 7. Plaintiff has actually suffered substantial emotional distress as a direct result of defendant's conduct and defendant's conduct would have caused a reasonable person to suffer substantial emotional distress. *(Specify in item 13)*
- 8. Defendant's continuing course of conduct has been directed specifically against plaintiff and is knowing, willful, not constitutionally protected, and without legitimate purpose. *(Specify in item 13)*

PLAINTIFF REQUEST THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

- 9. **PERSONAL CONDUCT ORDERS TO BE ORDERED NOW AND EFFECTIVE UNTIL THE HEARING.**
 Restrained person must not contact, molest, harass, attach, strike, threaten, sexually assault, batter, telephone, send any messages to follow, stalk, destroy any personal property, disturb the peace, keep under surveillance, or block movements in public places or thoroughfares.

- 10. **STAY AWAY ORDERS TO BE ORDERED NOW AND EFFECTIVE UNTIL THE HEARING.**
 Defendant must stay at least (specify): _____ yards away from the following person and places *(the addresses of the places are optional and you do not have to reveal them)*:
 - Plaintiff and the other named plaintiffs *(names)*: _____
 - Plaintiff's residence *(address optional)*: _____
 - Plaintiff's place of work *(address optional)*: _____
 - Plaintiff's children's school or place of child care *(address optional)*: _____
 - Other *(specify)*: _____
- 11. Will granting of any of the stay-away orders in item 10 interfere with defendant's access to defendant's residence or place of employment? Yes No (if yes, explain): _____
- 12. Plaintiff(s) will suffer great and irreparable harm before this petition can be heard in court unless the court makes those orders requested above effective now and until the hearing. *(Specify the harm and why it will occur before the hearing)*:

- 13. **DESCRIPTION OF CONDUCT.** Describe in detail the most recent incidents that has brought plaintiff to request this restraining order. State what happened, the dates, and who did what to whom. Describe any injuries.

- 14. **DATES OF INCIDENTS** *(You must state dates of when incidents occurred)*: _____
- 15. Plaintiff has asked for restraining orders against the defendant before. *(Specify court and case number, if known.)*

- 16. Defendant has asked for restraining orders against plaintiff before. *(Specify court and case number, if known.)*

- 17. **OTHER ORDERS** (Specify other orders you are requesting) _____
- 18. Plaintiff is not paying a fee for filing this petition because plaintiff is seeking order(s) restraining violence or threats of violence. *(Note: If the Court finds there have been no violence or threats of violence, then you may be ordered to pay the appropriate fees.)*

This petition is filed pursuant to Prairie Band Potawatomi Law and Order Code §4-9-1 & §4-9-2 and Plaintiff requests any additional relief as may be proper.

Signature of Plaintiff

Address

City, State & Zip Code

Phone Number

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

Notary Public

My commission expires: _____