

**IN THE TRIBAL COURT  
PUEBLO OF ISLETA  
ISLETA, NEW MEXICO**

\_\_\_\_\_,  
**Petitioner,**

Case No. \_\_\_\_\_

v.

\_\_\_\_\_,  
**Respondent .**

**PETITION FOR RESTRAINING ORDER AND REQUEST  
FOR TEMPORARY RESTRAINING ORDER**

**1. RESPONDENT INFORMATION:** *(the person I am filing against)*

- Respondent is:  my husband OR  my wife  
 my ex-husband OR  my ex-wife  
 the parent of my [child] [children]  
 a family member \_\_\_\_\_ *(relationship)*  
 a person with whom I have had a continuing personal relationship  
\_\_\_\_\_ *(state the relationship)*

Respondent's Full Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**2. ALLEGED DOMESTIC ABUSE** - The respondent committed the following act(s) of abuse against me or a member of my household: *(describe in detail what happened to you or to a member of your household and when and where.)*

Physical abuse: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Threats which caused fear that you or any household member would be injured:

\_\_\_\_\_  
\_\_\_\_\_

Other abuse: \_\_\_\_\_

Date(s) of abuse: \_\_\_\_\_ Place of abuse: \_\_\_\_\_

Others present during the abuse: \_\_\_\_\_

Did drugs or alcohol play a role in the domestic abuse?  Yes  No

Were weapons used?  Yes  No *If yes, what kind?* \_\_\_\_\_

The respondent [owns] or [has access] to the following weapons: \_\_\_\_\_

Has there been prior domestic abuse?  Yes  No Date(s): \_\_\_\_\_

**3. REQUESTS TO THE COURT - *I request that the Court order (check all that you want):***

- That the Respondent shall not have any personal or public contact with me and shall not abuse me.
- That the Respondent shall stay at least 100 yards away from wherever I am including my residence [and] [place of employment] [and] [school].
- That the Respondent shall immediately leave:  My  Our residence at (*address*):  
\_\_\_\_\_
- That the Respondent shall provide me with temporary suitable alternative housing.
- That the Respondent shall not sell, remove, pawn, hide, destroy or damage any property owned by me or the two of us jointly.
- That law enforcement officers assist me in retrieving my clothing and personal belongings from the residence at \_\_\_\_\_.
- That I be given temporary custody of our [child] [children].

***That until the court hearing:***

- Respondent shall have the following contact with the [child] [children]:  
\_\_\_\_\_
- Respondent shall have no contact with the [child] [children].
- Other relief that is necessary to resolve this domestic abuse problem (*list or describe what relief is necessary*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. INFORMATION ABOUT THE PETITIONER (ME)**

*(The information on this page will not be given to Respondent and is for Court use only).*

Physical Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

County \_\_\_\_\_ Reservation \_\_\_\_\_ State \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work/Cell Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**5. NOTICE TO RESPONDENT**

I have NOT told respondent that I am filing a petition to ask the court for an Order of Protection because I believe irreparable harm would result if I told respondent before coming to court. *(Describe what you are afraid might happen if the respondent knew you were asking for a court Order of Protection).*

\_\_\_\_\_  
\_\_\_\_\_

I have told respondent that I am filing this petition.

**6. RESPONDENT’S INFORMATION – location where Respondent may be found**

Respondent’s Full Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Is Respondent in jail?  Yes  No

Is defendant a Pueblo of Isleta Tribal member?  Yes  No

If “NO” member of another tribe?  Yes  No If YES, which tribe: \_\_\_\_\_

Does defendant reside in the Pueblo of Isleta?  Yes  No

If in Indian Country, please name Tribe or Pueblo \_\_\_\_\_

**7. VERIFICATION**

I, the Petitioner, being duly sworn upon my oath, depose and state that I am the Petitioner in the above-entitled cause and I have read the petition for Order of Protection from domestic abuse. I state that the contents thereof are true and correct to the best of my information and belief.

\_\_\_\_\_  
Signature of Party

\_\_\_\_\_  
Date

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**Respondent .**

**TEMPORARY RESTRAINING ORDER**

**THIS MATTER**, having come before the Court on Petitioner's motion containing allegations of violence and concerning the above named person(s), **HEREBY FINDS:**

1. Isleta Tribal Court has jurisdiction over this matter as a civil controversy with this Court exercising its civil jurisdiction over all members of a federally recognized tribe. Pursuant to the Isleta Law and Order Code §1-1-1(a), civil jurisdiction of the Isleta Tribal Court shall extend to all civil proceedings wherein one party is the Pueblo of Isleta, a wholly-owned entity thereof, or an official or employee and to all civil proceedings in which the cause of action arises on Pueblo lands;
2. Having considered the Petitioner's affidavit, the Court finds probable cause to believe there is a need to assure the Petitioner that she/he shall be free from violence.

**IT IS THEREFORE ORDERED** that an immediate Temporary Restraining Order is being issued and:

- The parties shall not have direct or indirect personal contact with one another in any manner whatsoever.
- Neither party shall go within one-hundred (100) yards of the other party, including but not limited to, each other's current place of residence and employment.
- Neither party shall add debt to, sell, remove, hide, destroy, or damage any property owned by the other party. This restriction includes tampering with electrical or other utility lines and corresponding services.
- The Respondent(s) shall not have any personal or public contact with the Petitioner.
- In addition, the Respondent(s) shall: \_\_\_\_\_

*This Temporary Restraining Order remains in full force and effect pending a hearing on this matter. Failure to comply with this Order may result in sanctions, including jail. A Notice of Hearing is attached to this Order with the date and time of the hearing.*

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Isleta Tribal Court Judge

**CERTIFICATE OF SERVICE**

The RESPONDENT shall be served with a copy of this document, in person or by an Isleta Police Officer. It must be served by another person who is not a party in the case. The Court will not accept this document without completing this form verifying that the opposing party was served. *Note: The opposing party does not have to sign this document or any other document for proper service.*

***Complete only ONE of the sections below to indicate which method of service was used and proof of service.***

***Served IN PERSON by:***

I, \_\_\_\_\_, being duly sworn, on oath, state that I am at least 18 years of age and not a party to this lawsuit, and that I served the preceding document on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by delivering a copy thereof in-person to \_\_\_\_\_ *(name of person who received the document)*.

\_\_\_\_\_  
***PRINT*** Name of Person Making Service

\_\_\_\_\_  
***SIGNATURE*** of Person Making Service

***MAILED by United States mail, postage prepaid, and addressed to\*:***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_

Zip code: \_\_\_\_\_

***\*Attach a copy of the postage to this document.***