

CIVIL COMPLAINT PACKET

COURT OF INDIAN OFFENSES FOR THE SOUTHERN PLAINS REGION

Mailing Address:
P.O. Box 368
Anadarko, Oklahoma 73006

Phone: 405/247-8508 or 405/247-8527
Fax: 405/247-7240
Email: stormy.bennett@bia.gov
angela.anderson@bia.gov

Physical Location:
Highway 281 North & Parker McKenzie Drive
Anadarko, Oklahoma
(located inside the Anadarko Agency)

The forms in this packet are to be used as a template, if you are seeking to file a civil complaint. Please read the instructions carefully before completing the forms. The Court Clerks CANNOT accept complaints/petitions that does not conform to the instructions included in this packet.

Should you need assistance in preparing the complaint/petition, you must consult with an attorney at your own expense. This court does not have legal aid. The Court Clerks are prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerks CANNOT advise you on how to proceed or what forms may be necessary in specific situations.

PACKET CONTAINS:

Instruction Sheet

Complaint Form

Sample Civil Complaint



Website: <http://www.bia.gov/WhoWeAre/RegionalOffices/SouthernPlains/WeAre/ciospr/index.htm>



Like Us On Facebook: www.facebook.com/ciospr

Instructions for Filing a Civil Complaint

IMPORTANT INFORMATION – PLEASE READ!

These standard instructions are informational purposes only and do not constitute legal advice about your case. If you do not understand this information, please contact an attorney.

STEP 1: Complete forms.

- Petition for Civil Complaint
- Summons

NOTE: Forms must be typed double-spaced and on letter size paper. The forms provided in this packet are guides to be used in preparing your documents for filing divorce. The forms must be re-typed. Forms must include all the required information (addresses, telephone numbers, email addresses, etc.) It is YOUR responsibility to provide the required information on the forms.

STEP 2: Obtain copies of required documents.

- Tribal Enrollment Verification (Tribal ID, Certificate Degree of Indian Blood, or Letter from Tribe) for Plaintiff and/or Defendant

NOTE: Obtaining these documents is YOUR responsibility.

STEP 3: Obtain a Money Order or Cashier's Check for filing.

- \$85.00 filing fee

NOTE: Money Order or Cashier's Check made payable to "Bureau of Indian Affairs". No personal checks are accepted. Insure that you receive a receipt for the filing fee from the Court Clerk at the time of filing.

STEP 4: Submit forms, documents and filing fee for filing to the Court Clerk.

- Petition for Civil Complaint
- Summons
- Tribal Enrollment Verification (Tribal ID, Certificate Degree of Indian Blood, or Letter from Tribe) for Petitioner and/or Defendant
- Money Order or Cashier's Check (\$85.00 filing fee made payable to "Bureau of Indian Affairs")

NOTE: If all forms, documents, and filing fees are not submitted at the time of filing, it will be returned back to you, until you obtain ALL required forms, documents and filing fees for filing.

Petition for Civil Complaint must be signed in front of the Court Clerk or a notary public.

**IN THE COURT OF INDIAN OFFENSES FOR THE SOUTHERN PLAINS REGION
ANADARKO, OKLAHOMA**

_____)	
Tribal Member or Non-Indian,)	
Plaintiff,)	
)	
VS.)	Case No. CIV-____-____
)	
_____)	
Tribal Member or Non-Indian,)	
Defendant.)	

CIVIL COMPLAINT

COMES NOW, _____, Plaintiff herein, pro se and files the petition against _____, Defendant herein, for this cause of action, in the Court of Indian Offenses for the Southern Plains Region, the Plaintiff alleges and states the following:

1. That the Court of Indian Offenses for the Southern Plains Region has personal and subject matter jurisdiction to hear and decide this matter in accordance to 25 CFR 11.116 and 11.503;
2. That the Plaintiff is an enrolled member of the _____ Tribe of Oklahoma, and a copy of the Plaintiff's Tribal enrollment card/Certificate Degree of Indian Blood is submitted with the petition to the Court; **OR**
That the Plaintiff is Non-Indian;
3. That the Defendant is an enrolled member of the _____ Tribe of Oklahoma, and a copy of the Defendant's Tribal enrollment card/Certificate Degree of Indian Blood is submitted with the petition to the Court; **OR**
That the Defendant is Non-Indian;
4. That the Plaintiff's address is _____ (include city/state/zip code) and has lived at this address for _____; **(STATE LENGTH OF TIME IN MONTHS OR YEARS AT THIS ADDRESS)**
5. That the Defendant's address is _____ (include city/state/zip code) and has lived at this address for _____; **(STATE LENGTH OF TIME IN MONTHS OR YEARS AT THIS ADDRESS)**
6. That the Plaintiff, complains of the Defendant and declares that : **(STATE THE EVENTS/AGREEMENTS THAT LED TO THE FILING OF THIS COMPLAINT);**
7. That the Defendant is indebted to the Plaintiff for the following: **(STATE WHAT YOU WOULD LIKE THE COURT TO AWARD YOU AS REASONABLE JUDGMENT AGAINST DEFENDANT, e.g. amount owed, property, court cost, attorney fees, etc.);**

WHEREFORE, by reason of the foregoing acts, the Plaintiff asks the Court to demand that the Defendant be adjudged to make just redress on the foregoing amounts owed and/or return of property to the Plaintiff and any other relief the Court deems proper and that a hearing be set on this matter as soon as the Court deems necessary.

NAME, Plaintiff
Full Address (include city, state & zip)
Telephone No.
Email Address (if, any)

VERIFICATION

I, _____, being duly sworn to tell the truth and being of lawful age above 18 years of age, hereby states that I have prepared and read this complaint and verify that all of the factual allegations contained in this complaint are in fact true and correct to the best of my knowledge and belief, **UNDER PENALTY OF PERJURY.**

NAME, Plaintiff

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF
_____, 20____.

Court Clerk/Deputy

**IN THE COURT OF INDIAN OFFENSES FOR THE SOUTHERN PLAINS REGION
ANADARKO, OKLAHOMA**

NAME OF PETITIONER,)
 Petitioner,)
VS.) Case No. CIV-____-_____
)
NAME OF RESPONDENT,)
 Respondent.)

SUMMONS

**TO: Respondent Name
 Respondent Address
 Respondent City/State/Zip Code**

YOU ARE HEREBY SUMMONED in the above named action and directed to file a written Answer to the attached Petition with the Court Clerk of this Court, within thirty (30) days after service of this Summons, which is herewith served upon you.

A copy of your Answer must also be delivered to the Petitioner or his/her attorney/advocate and proof of such service with your Answer must be filed in this Court.

If you fail to Answer this Petition within the time stated, judgment by default can be rendered against you for the relief demanded by the Petitioner.

(SEAL)

Court Clerk/Deputy
CFR Court
P.O. Box 368
Anadarko, Oklahoma 73005
Phone: 405/247-8511

Petitioner or Petitioner's Attorney:
Petitioner Name
Petitioner Address
Petitioner City/State/Zip Code
Phone: Petitioner Telephone Number

YOU MAY SEEK THE ADVICE OF AN ATTORNEY/ADVOCATE ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THIS SUMMONS.

CERTIFICATION

I, the undersigned Court Clerk, hereby certify that I emailed, faxed, hand delivered or mailed, a true and correct copy of this document and copy of the petition to the Respondent:

Certified Mail – Restricted Delivery

Article No. _____

Respondent Name

Respondent Address

Respondent City/State/Zip Code

(SEAL)

Court Clerk/Deputy Court Clerk

**IN THE COURT OF INDIAN OFFENSES FOR THE SOUTHERN PLAINS REGION
ANADARKO, OKLAHOMA**

JANE DOE,)
Native Tribal Member,)
Plaintiff,)
)
VS.)
)
JOHN DOE)
Native Tribal Member,)
Defendant.)

Case No. CIV- _____ - _____

CIVIL COMPLAINT

COMES NOW, Jane Doe, Plaintiff herein, pro se and files the petition against John Doe, Defendant herein, for this cause of action, in the Court of Indian Offenses for the Southern Plains Region, the Plaintiff alleges and states the following:

1. That the Court of Indian Offenses for the Southern Plains Region has personal and subject matter jurisdiction to hear and decide this matter in accordance to 25 CFR 11.116 and 11.503;
2. That the Plaintiff is an enrolled member of the _____ Tribe of Oklahoma, and a copy of the Plaintiff's Certificate Degree of Indian Blood is submitted with the petition to the Court;
3. That the Defendant is an enrolled member of the _____;
4. That the Plaintiff's address is 1234 Elm Drive, Anadarko, Oklahoma 73005 and has lived at this address for 20 years;
5. That the Defendant's address is P.O. Box 0000 (4949 Gravel Road), Anadarko, Oklahoma 73005 and has lived at this address for 10 months;
6. That the Plaintiff, complains of the Defendant and declares that: Defendant borrowed \$2500.00 from the Plaintiff and agreed to pay back Plaintiff \$200.00 per month until the amount had been paid in full. An agreement to these terms was signed by both Plaintiff and Defendant and a copy of the agreement is submitted to the Court. The Defendant

paid \$800.00 to date has refused to pay the balance after several attempts made by the Plaintiff to collect the amount owed;

7. That the Defendant is indebted to the Plaintiff for the following: The remaining balance owed \$1700.00, plus court cost of \$85.00, a total of \$1785.00 and is to be paid to the Plaintiff in full;

WHEREFORE, by reason of the foregoing acts, the Plaintiff asks the Court to demand that the Defendant be adjudged to make just redress on the foregoing amounts owed and/or return of property to the Plaintiff and any other relief the Court deems proper and that a hearing be set on this matter as soon as the Court deems necessary.

JANE DOE, Plaintiff
1234 Elm Drive
Anadarko, Oklahoma 73005
405/247-0000
Jdoe@yahoo.net

VERIFICATION

I, Jane Doe, being duly sworn to tell the truth and being of lawful age above 18 years of age, hereby states that I have prepared and read this complaint and verify that all of the factual allegations contained in this complaint are in fact true and correct to the best of my knowledge and belief, **UNDER PENALTY OF PERJURY.**

JANE DOE, Plaintiff

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____.

Court Clerk/Deputy

**IN THE COURT OF INDIAN OFFENSES FOR THE SOUTHERN PLAINS REGION
ANADARKO, OKLAHOMA**

JANE DOE,)	
Kiowa Tribal Member,)	
)	
Plaintiff,)	
)	
VS.)	Case No. CIV-____ - ____
)	
JOHN DOE,)	
Non-Indian,)	
)	
Defendant.)	

SUMMONS

**TO: Janey Doe
123 ABC Street
Anadarko, OK 73005**

YOU ARE HEREBY SUMMONED in the above named action and directed to file a written Answer to the attached Petition with the Court Clerk of this Court, within thirty (30) days after service of this Summons, which is herewith served upon you.

A copy of your Answer must also be delivered to the Petitioner or his/her attorney/advocate and proof of such service with your Answer must be filed in this Court.

If you fail to Answer this Petition within the time stated, judgment by default can be rendered against you for the relief demanded by the Petitioner.

(SEAL)

Court Clerk/Deputy
CFR Court
P.O. Box 368
Anadarko, Oklahoma 73005
Phone: 405/247-8511

Petitioner or Petitioner's Attorney:
James Doe
999 May Avenue
Anadarko, OK 73005
Phone: 405-555-5555

YOU MAY SEEK THE ADVICE OF AN ATTORNEY/ADVOCATE ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THIS SUMMONS.

CERTIFICATION

I, the undersigned Court Clerk, hereby certify that I emailed, faxed, hand delivered or mailed, a true and correct copy of this document and copy of the petition to the following interested party:

Certified Mail – Restricted Delivery

Article No. _____

Janey Doe
123 ABC Street
Anadarko, OK 73005

(SEAL)

Court Clerk/Deputy Court Clerk

SAMPLE