

**IN THE CHOCTAW TRIBAL COURT
MISSISSIPPI BAND OF CHOCTAW INDIANS**

**EX PARTE IN THE INTEREST OF
JANE DOE, INDIVIDUALLY,
AND AS NATURAL MOTHER AND NEXT
FRIEND OF SALLY DOE**

DM NO. _____

ORDER GRANTING PROTECTION FROM DOMESTIC ABUSE

THIS CAUSE came on for hearing on Petition to Seek an Order of Protection from Domestic Abuse filed by Petitioner against John Doe, and as pursuant to Title XXIII of the Choctaw Tribal Code known and cited as the “Mississippi Band of Choctaw Indians’ Protection from Domestic Abuse Law” this Court, after having considered the matter and heard evidence in support thereof, orders, adjudges and decrees as follows, to-wit:

1. This Court has jurisdiction in that Petitioner is an enrolled member of the Mississippi Band of Choctaw Indians and Petitioner resides in the Pearl River Community, Choctaw Indian Reservation, Neshoba County, Mississippi.
2. Petitioner has proven by a showing of good cause that she has suffered abuse at the hands of John Doe, and that she is in fear of immediate and present danger of abuse.
3. John Doe is to refrain from inflicting mental or physical abuse upon Petitioner.
4. John Doe is prevented from having any contact whatsoever with Petitioner or Petitioner’s minor child, Sally Doe, including but not limited to personal contact and contact by telephone or mail until further order of this Court.
5. Defendant shall be excluded from Petitioner’s residence located at 103 Lucky Trails, Choctaw, Mississippi 39350, and shall not enter upon the premises for any reason whatsoever without prior approval of the Court.
6. Defendant shall be permitted to return one time to Petitioner’s residence with a police escort to remove his clothing and personal hygiene items.

7. Petitioner shall be granted temporary custody of the parties' minor child, Sally Doe, with Defendant's rights of visitation being suspended until such time as this cause may come on for a hearing.
8. Should Defendant violate the provisions set out in this order, he may be arrested and incarcerated for not more than six months and fined not more than \$500.00 or both, as pursuant to C.T.C. 3-10-3, C.T.C. 3-10-6, C.T.C. 23-1-10, and C.T.C. 23-1-13.

That Petitioner has shown good cause for this Court to issue a protective order as pursuant to CTC 23-1-6(2), that said order is to be served as notice upon Harold Comby, Acting Director of Choctaw Police Department, in the Pearl River Community, Choctaw Indian Reservation, Mississippi 39350, that Choctaw Police shall immediately serve a copy of said order upon John Doe, as notice of restrictions imposed upon him by said order and so that he may appear and defend against said facts alleged by Petitioner at a hearing as prescribed in CTC 23-1-6(1). At said hearing, Petitioner will seek any and all remedies available to her in Title XXIII. This order shall last until this cause may come on for a hearing on July 30, 2004, at 9:00 a.m., as prescribed in CTC 23-1-6(1).

ORDERED, ADJUDGED, AND DECREED, this the _____ day of _____, 2004, at _____ o'clock _____m.

TRIBAL COURT JUDGE

Prepared By:

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