

Form 6-1609: Application for Rule to Show Cause

IN THE TRIAL COURT OF THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA

<p>_____, Petitioner,</p> <p>vs.</p> <p>_____, Respondent.</p>	<p>Case No. _____</p> <p>APPLICATION FOR RULE TO SHOW CAUSE</p>
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Is there any active Order of Protection with respect to the parties? ☐ **YES** ☐ **NO**

If Yes, Name of the Protected Party/ies: _____

If Yes, (*select one*) ☐ Permanent ☐ Temporary Expires on (date): _____

Name of Court & Date filed: _____

******(Attach "Order of Protection" to this Petition, and the "Party's Confidential Information" form.
Form can be obtained from the Clerk of Court's Office.)******

I, _____, the Petitioner, being first duly sworn upon oath,
respectfully request an entry of a Rule to Show Cause against, _____,
the Respondent in this matter. In support of this Application for Rule to Show Cause state:

1. On, ____ / ____ / ____, an Order was entered by the Court requiring the Respondent to do the following: _____

_____.
2. The Respondent has willfully violated the Order by (*Attach all supporting documents to this Application; ex. Copy of the Original Order, payment records, Affidavits, etc.*):

_____.

- _____.
- _____.
3. There has not been a stay of execution or modification of the Order.
 4. The other party has knowledge of the Order, has the ability to comply with the Order, and has intentionally and willfully disobeyed the Order.
 5. I, the Petitioner, request this Court issue and Order the other party to appear before the Court and show cause why they should not be held in contempt for willful failure to comply with the Court's Order.

6. Requested Relief:

☐ Remedial Contempt

I request this Court impose the following sanctions:

- ☐ Court costs and reasonable Attorney's fees in connection with this proceeding;
- ☐ Payment of a fine and/or imprisonment until the other party performs the act(s) ordered;
- ☐ Other (*please be specific*): _____
- _____.

☐ Punitive Contempt

I request this Court find that the conduct of the Respondent to be offensive to the authority and dignity of the Court, and to vindicate the dignity of this Court, to impose a fine or fixed sentence of imprisonment, or both.

By checking the following boxes, I hereby attest that I understand the following:

- ☐ I understand that I am swearing or affirming under oath to the truthfulness of the allegations made in this motion.
- ☐ I understand I, as Petitioner, am solely responsible for serving this document (an any attachments) along with the Summons generated by the Clerk of Court on any and all parties I have named as a Respondent in the manner required by the Court's Rules of Procedures, and I am responsible for providing proof of that service to the Clerk of Court.
- ☐ I understand that this Petition is a civil action and I must comply with the Court's Rules of Civil Procedure whether or not I have retained legal counsel.

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- ☐ I understand that the use of this form is not substitute for legal advice and that it is in my best interest to obtain the legal advice of an attorney prior to initiating or responding to any legal action. I understand that this form may not meet all my specific needs and that it is only provided as a courtesy and guide for pro se parties.

TO RESPONDENT: All responsive pleadings, or answers, shall be served and mailed to or filed with the Sac & Fox of the Mississippi in Iowa Clerk of Tribal Court no later than five days prior to the scheduled hearing. The Court may, in its discretion, disregard any responsive pleadings served or filed with the Clerk of Court less than five days prior to such hearing in ruling on the motion or matter in question.

****PLEASE WAIT TO SIGN & DATE UNTIL IN FRONT OF A NOTARY****

Signature of Petitioner

Date

Printed Name

Mailing Address

City, State, Zip Code

Phone Number

Email Address

Signed before me on ____ day of _____, 20____.

☐ *Signature of Notary Public, State of* _____

☐ *Tribal Court Staff* *Title:* _____