PYRAMID LAKE TRIBAL COURT P.O. BOX 257 / 221 HWY 447 NIXON, NV 8424

CIVIL COMPLAINT

PACKET INCLUDES PETITION INSTRUCTIONS AND FILING PROCESS

ATTENTION: THIS PACKET IS NOT A SUBSTITUE FOR THE ADVICE OF AN ATTORNEY OR ADVOCATE. COUNSEL IS ALWAYS RECOMMENDED FOR LEGAL MATTERS.

The laws governing the Pyramid Lake Paiute Reservation allow any person to represent him/herself in any legal action heard in the Pyramid Lake Tribal Court. However, filing Petitions/Application/Complaints with the Court and representing yourself in the Courtroom can involve complex legal matters. This packet only addresses a few legal issues involved in bringing your matter before Court.

When appearing pro se, Latin for "on one's own behalf", you are responsible for understanding the law that governs your case and for filing the correct legal documents.
The laws and rules are set out in the Pyramid Lake Law & Order Code, the Federal Rules of Civil Procedure, and the Pyramid Lake Tribal Court Operational Procedures.

When you return to the Court and sign these documents for filing, the Court assumes that all documents are read carefully and all potential outcomes of litigation in this matter are understood.

BEFORE FILING IN ANY PORTION OF THE PETITION, READ ALL MATERIALS AND, IF NEEDED, REQUEST CLARIFICATION FROM THE COURT STAFF.

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1	1.	Fill out the Civil Complaint (herein after "Complaint") completely. Use blue or
2		black ink only to fill out the forms and neatly print the information requested. DO
3		NOT USE WITE-OUT or any other fluid/tape on the forms. The Complaint will not
4		be accepted by the Court Personnel if correction fluid/tape is used.
5		** Also, the following section of the Pyramid Lake Law & Order Code (herein after
6		"P.L.L.O.C.") references the statute of limitations which gives a time limit to file a
7		Complaint: §3.3.204 STATUE OF LIMITATIONS FOR CIVIL ACTIONS: "Every
		action NOT COVERED BY THE Criminal provisions of this Code, unless
8		specifically addressed elsewhere in this Code or other applicable Tribal Law,
9		shall be barred unless the complaint is filed within two (2) years after the cause
10		of action first occurs."
11	2.	On page 1, #1, state what it is you are trying to recover and the description of the
12		item(s).
13	3.	On page 1, #2, state what the other party has done to facilitate this filing.
14	4.	On page 1, #3, state whether you or the other party are residents of the Pyramid
15		Lake Reservation, as the P.L.L.O.C. states that you must be a resident of the
16		reservation for at least six (6) weeks prior to filing the complaint.
17	5.	On page 2, state what led up to the incident that facilitated the filing, why you are
		filing and what exactly you are requesting from the Court. Be specific and
18		thorough, as the Court cannot decide on issues that are not in the Complaint.
19	6.	The third page must be completely filled out, as the Court staff are not locators of
20		addresses. Please state mailing and physical addresses as this is necessary for
21		proper service of complaint. **PLEASE BE ADVISED: We cannot and will not
22		look into the Court management System to locate an address, as it is your
23		responsibility.**
24	7.	If you plan on returning to the Courthouse to file the Complaint, wait to sign the
25		Complaint in front of staff so they may sign stating that the signature was
26		witnessed. However, if you are mailing, emailing, or faxing the Complaint, have
27		each area designated for a signature, notarized.
	8.	Once the Complaint is completed and ready to be filed, submit the filing fee
28		(\$30.00), the civil service fee (\$15.00 if in the boundaries of the PL Reservation,

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1	TBD if outside jurisdiction), and the complaint to Court Personnel. If the
2	Respondent resides outside of the Pyramid Lake Reservation the Court staff will
3	contact the county to determine the service fee, and you will be responsible to
4	pay the fee to the County in question.
5	9. If you are submitting your Complaint with an Application Waive Filing Fees
6	(herein after: "Application") the Complaint will not be filed until a decision on the
	Application is rendered. Should the Judge approve the Application, your petition
7	will be filed, however, if it is denied, you will be contacted and must pay the filing
8	fee prior to the Complaint being filed. If the Application is approved, no filing fees
9	will be assessed for thirty (30) days per Application.
10	10. Once the Complaint is filed, Court staff will issue a Summons that must be
11	served on the Respondent. The Summons and Petition will be forwarded to the
12	Pyramid Lake Police Department (or applicable Police Department) for service.
13	Double check and make sure that the address noted for the Respondent is
14	correct as incorrect addresses will slow the process and could add additional
15	service fee charges.
16	11. Once the Respondent is served, he/she will have twenty (20) days to respond to
17	the Complaint. Once an Answer/Response is filed, along with the \$15.00 filing
	fee, a hearing will be scheduled and all parties will be served notice via mail. If
18	the respondent chooses not to respond, the full twenty (20) days will be allocated
19	and a hearing will be scheduled on the 21 st day.
20	12. If you are unable to appear on the date provided, you may request that this
21	matter be continued via Motion to Continue (herein after "Motion"). Submit Motion
22	and payment (\$15.00) at least eight (8) working days prior to the hearing. Do not
23	forget to send the opposing parties a copy of the Motion. If it is not submitted in a
24	timely manner, you will be required to appear as the Judge may deny your
25	motion and proceed with hearing.
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27	IF THERE ARE ANY FURTHER QUESTIONS, PLEASE DO NOT HESITATE TO
28	CALL THE PYRAMID LAKE TRIBAL COURT AT (775) 574-1094.
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	IN THE PYRAMID LAKE TRIBAL COURT IN AND FOR THE PYRAMID LAKE INDIAN RESERVATION WASHOE COUNTY, NEVADA			
	Plaintiff, vs. Defendant.	Case No. PL.CV-CM-		
 Plaintiff claims from Defendant(s), the amount of \$ and costs of this action, or, Plaintiff claims from Defendant(s) real or personal property of the approximate value of \$ and which is described as: 				
2)	Plaintiff's claim results from Defendant(s) wrongful or negligent actions, which were:			
 3) Plaintiff and Defendant are/are not resident(s) of the Pyramid Lake India Reservation, State of Nevada, County of Washoe. Date: 				
	Signature of Plaintiff Date: Notary Public/Court Clerk			
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	THE PYRAMID LAKE INDIAN RESERVATION WASHOE COUNTY, NEVADA <u>AFFIDAVIT IN SUPPORT OF CIVIL COMPLAINT</u>		
	being first duly sworp on ooth offirm that L		
	, being first duly sworn on oath, affirm that I a t in this cause that the statements made herein are true and correct to the b		
	wledge, recollection and belief, as follows:		
DATE:	AFFIANT:		
Subscribe	ed and sworn to before me on this day of, 20		
Notary Pu	ublic/Court Clerk		
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1	PLEASE PROVIDE THE FOLLOWING CASE INFORMATION TO THE COURT WHEN		
2	SUBMITTING THE PETITIO	N. {This portion must be completed or the petition will not be	
3		accepted.}	
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5	PLAINTIFF'S NAME:		
6	MAILING ADDRESS:		
7	PHYSICAL ADDRESS:		
° 9	EMAIL ADDRESS:		
10	PHONE NO(s):	<u>(H)</u> (W)	
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12	DEFENDANT'S NAME:		
13	MAILING ADDRESS:		
14 15	PHYSICAL ADDRESS:		
16	EMAIL ADDRESS:		
17	PHONE NO(s):	<u>(H)</u> (W)	
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19		Civil Complaint Filing Fee \$30.00	
20	<u>Service Fee – Inside Jur</u>	isdiction - \$15.00 / Service Fee – Outside Jurisdiction – TBD	
21			
22	Once the complaint has been filed a Summons will be issued; the documents will then be		
23	forwarded to the Tribal Police Department (or applicable Police Department) for service upon		
24	the Respondent. The Respondent will be served with the Summons, Petition, Affidavit, and any		
25	other attachments either physically or certified mailing. The Respondent will then have twenty (20) business days to respond from the date of service. If no response is received within the		
26		aring will be set as soon as possible after the twenty (20) day time	
		ved before the twenty (20) day time period is up, a hearing will be	
27	set once the Court has rece	ived the response at the next available Court date. The Court will	
28	notify parties of a hearing dat	e with at least five (5) days' notice to the parties.	

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