

# SUMMONS TO APPEAR FOR SHOWCAUSE HEARING

THE SAGINAW CHIPPEWA  
TRIBAL COURT  
CIVIL DIVISION  
6954 East Broadway  
Mt. Pleasant, MI 48858  
Telephone: (989) 775-4800

CASE NO.: \_\_\_\_\_

Honorable Jesse B. Filkins Jr.

<b>Plaintiff:</b> (list full name, address & telephone number)	<b>Defendant:</b> (list full name, address & telephone number)
<b>Plaintiff's Attorney:</b> (list full name, address & telephone number)	<b>Defendant's Attorney:</b> (list full name, address & telephone number)

## NOTICE TO THE DEFENDANT:

1. You are being sued in the Saginaw Chippewa Tribal Court.
2. **YOU HAVE 21 DAYS** after receiving this summons to file an answer with the court and to serve a copy on the other party or take other lawful action. Please note that if you were served by certified mail or served outside of the reservation land you have 28 days to answer attached complaint.
3. Failure to file an answer or take other action within the time allowed may result in a default Judgment being entered against you for the relief requested in Plaintiff's complaint.

I declare that the information above and contained in the attached complaint is true to the best of my information, knowledge and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Plaintiff/Plaintiff's Attorney

THE COMPLAINT IS STATED ON THE ATTACHED PAGE(S) AND EXHIBIT(S) ARE ATTACHED AS REQUIRED.

Issued:	This Summons Expires:	Court Clerk:
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## NOTICE TO POLICE OFFICER/OR DISINTERESTED PARTY:

YOU ARE HEREBY ORDERED TO SERVE THE SUMMONS AND COMPLAINT TOGETHER WITH ALL ATTACHMENTS UPON THE DEFENDANT NOT LATER THAN 180 DAYS AFTER THE DATE OF FILING OF THIS COMPLAINT. IF YOU ARE UNABLE TO COMPLETE SERVICE, YOU MUST RETURN THIS ORIGINAL AND ALL COPIES TO THE COURT CLERK.

**THE SAGINAW CHIPPEWA TRIBAL COURT  
6954 E. BROADWAY, MT. PLEASANT, MICHIGAN 48858  
TELEPHONE (989) 775-4800**

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**THE HONORABLE JESSE B. FILKINS, JR.**

**FILE NO:** \_\_\_\_\_

Plaintiff:    Attorney:
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Defendant:    Attorney
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<b>PETITION FOR SHOW CAUSE HEARING FOR ENFORCEMENT OF A FOREIGN JUDGMENT</b>
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1. Whereas the undersigned Plaintiff obtained a valid judgment as shown on the attached certified copy and;
2. Whereas: said judgment (Court & File Number): \_\_\_\_\_ was entered on: \_\_\_\_\_, is final, conclusive and no longer subject to an appeal; and,
3. Whereas said judgment was rendered in a jurisdiction which grants full recognition of judgments and orders of the Saginaw Chippewa Indian Tribal Court; and,
4. Whereas there was personal jurisdiction over the Defendant, and jurisdiction over the matter; and,
5. Whereas the Plaintiff cannot enforce this judgment against the Defendant without recognition as allowed under Tribal Code Section 4.201,
  
6. Therefore, the Plaintiff seeks a Show Cause Hearing to enforce the Judgment and to obtain the following relief:
  - a) The balance due with principal and interest with all payments and set-offs is: \$\_\_\_\_\_.
  - b) The filing fee, service fees and any other costs in this matter;
  - c) Other allowable costs, as follows: \_\_\_\_\_.
  - d) On-going child support in a weekly amount of \$\_\_\_\_\_ and statutory fees, of \$\_\_\_\_\_ per month, where they were allowed, along with an arrearage now due of \$\_\_\_\_\_.
  - e) The Defendant: is [ ] a tribal member [ ] is employed by the Saginaw Chippewa Indian Tribe.
  - f) Other: \_\_\_\_\_

**TO THE DEFENDANT:**

**TAKE NOTICE THAT A HEARING TO ENTER THE JUDGMENT WILL BE HELD 21 DAYS AFTER YOU ARE SERVED. YOU WILL BE SUBJECT TO GARNISHMENT UNLESS YOU APPEAR TO SEEK A PAYMENT PLAN OR FILE A WRITTEN ANSWER TO SHOW GOOD CAUSE THAT THE JUDGMENT SHOULD NOT BE GRANTED ENFORCEMENT BECAUSE OF ANY OF THE FOLLOWING:**

(Please see the next page or the reverse of this form.)

1. THIS JUDGMENT WAS NOT VALIDLY OBTAINED AS STATED ABOVE,
2. THE JUDGMENT IS CURRENTLY ON APPEAL,
3. THERE WAS NO PERSONAL OR SUBJECT MATTER JURISDICTION;
4. THE JUDGMENT WAS OBTAINED BY FRAUD;
5. THE JUDGMENT IS REPUGNANT TO TRIBAL POLICY;
6. THE JUDGMENT IS NO LONGER EFFECTIVE IN THE JURISDICTION;
7. OTHER GOOD CAUSE; SUCH AS THE WRONG PARTY.

I swear that the above is true to the best of my knowledge, information and belief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff or Agent (Print name and title):

(This Petition and a Summons must be served upon the Defendant by the Tribal Police. It may be sent by Certified Mail with a restricted delivery, and with the return receipt personally signed by the Defendant. A Proof of Service form must be filed with the court clerk before the 21-day period will begin and before a hearing is scheduled. You must attach a "Certified" copy of the judgment to the original Petition along with any other relevant information, and attach a photocopy along with all attachments to the Defendant's copy to be served. You must prepare another copy to be stamped for your records.)

(The Defendant must file a written Answer form, which is available from the court clerk or from an attorney if you object to any of the statements. You may also contest the matter by appearing at the hearing, either in person or by an attorney or a community advocate. It is your responsibility to notify the court if you change addresses after being served. A Judgment will be entered by Non-Appearance Default if no action is taken)