**IN THE TRIBAL COURT OF**

**THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA**

**SHAWNEE, OKLAHOMA 74801**

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 **)**

 **Petitioner, )**

 **) - -**

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**)**

 **Defendant, )**

**)**

**APPLICATION FOR EMERGENCY TEMPORARY ORDERS**

 **COMES NOW,** the Petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and moves the Court to issue emergency temporary orders in this action. In support of the *Application,* Petitioner informs the Court as follows:

**I. JURISDICTION:**

1. That this Court has jurisdiction to hear and decide this matter in that the Petitioner is an enrolled member of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Tribe, and the child(ren) are enrolled members of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Tribe.

 2. That this Court has territorial jurisdiction to hear and decide this matter in that the Petitioner and said minor child(ren) reside within the territorial boundaries of the Absentee Shawnee Tribe of Oklahoma, said residence being\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**II. PARTIES:**

Petitioner is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of said child(ren)\_\_\_\_\_\_\_\_\_\_\_\_\_\_,dob:\_\_\_\_\_\_\_\_\_\_\_.

**III HISTORY:**

 1. The natural mother, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of said minor child(ren) mailing address is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the natural father, \_\_\_\_\_\_\_\_\_\_\_\_\_\_, of said minor child(ren) mailing address is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**IV. PROCEDURAL BACKGROUND**

 2. The Absentee Shawnee Tribe of Oklahoma has been the child(ren) residence for the last six (6) months preceding the commencement of this action;

 3. It is in the best interest and welfare of this child(ren) that this court assume jurisdiction because this child(ren) has a significant connection with this jurisdiction;

 4. It is in the best interest and welfare of this child(ren) that the court assume jurisdiction because there is available in this jurisdiction substantial evidence concerning past and future care, protection, training and personal relationship of this child;

 5. Other than this action the Petitioner has not participated in any capacity whatsoever in any other litigation concerning the custody of this child in this jurisdiction. Further, the Petitioner is not aware of any past custody determinations made other than this Court’s previous determinations, as stated above. Lastly, the Petitioner is not aware of any pending custody proceedings, expect this one, concerning this child(ren) in this or any other jurisdiction.

**V. THE EVENT:**

(State the reasons what lead up to filing this petition).

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**VI. BEST INTEREST OF CHILD(REN).**

 \* The Petitioner believes it is in the best interest of the minor child(ren) for this Court to provide Emergency Temporary Custody of the minor child(ren) to the Petitioner. In addition, the Petitioner requests that the Indian Child Welfare Office of the Absentee Shawnee Tribe of Oklahoma be ordered to review the case in order to investigate the natural parents of the minor child(ren).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JUDGE OF THE DISTRICT COURT