

IN THE TRIBAL COURT OF THE
PRAIRIE ISLAND MDEWAKANTON DAKOTA COMMUNITY

PRAIRIE ISLAND INDIAN RESERVATION

STATE OF MINNESOTA

Petitioner (PLEASE PRINT)

VS.

Respondent (PLEASE PRINT)

Case Number (The Court Clerk will complete this section)

**Affidavit in Support of
Motion for
Contempt of Court
FILING FEE: \$285**

In Re the Custody of: _____

Name of Petitioner

and

Name of Respondent

STATE OF MINNESOTA

COUNTY OF _____

1. My true and correct name is _____. I state that the information contained in this *Affidavit* is true and correct to the best of my knowledge.
2. I am the (*check one*): Petitioner Respondent in the above-entitled matter, and I make this *Affidavit* in support of my contempt motion.
3. The person that should be held in contempt is: _____ .
4. The *Judgment and Decree* or *Order* that I wish to enforce by this contempt motion is dated _____ (month, day, year). A copy is attached to this *Affidavit* as Exhibit "A". (**Attach a copy of the Judgment and Decree or Order and mark it as Exhibit "A". If there is more than one Judgment and Decree or Order, mark the second as Exhibit "B", etc.**)

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5. The particular paragraphs of the *Decree or Order* attached hereto as **Exhibit "A"** that are not being followed by the other party are: (list each page and paragraph number) _____

The particular paragraphs of the *Decree or Order* attached hereto as **Exhibit "B"** that are not being followed by the other party are: (list each page and paragraph number) _____
_____.

6. On (month, day, year) _____, the other party was served with a copy of the *Judgment and Decree or Order* for which (s)he should be held in contempt. As evidence of service, I have attached to this *Affidavit in Support of Motion* one of the following: (check one for **each** *Decree or Order* you attached as an Exhibit, and on the blank line write in the Exhibit letter of the *Decree or Order* to which the evidence of service relates)

Affidavit of Service (attach copy) _____

Admission of Service (attach copy) _____

Signature of other party on the face of the *Judgment and Decree or Order*, acknowledging receipt of a copy _____

*** If you are seeking contempt for non-payment of CHILD SUPPORT, fill out numbers 7-9.**

7. Monthly child support in the amount of \$ _____ was supposed to be paid, but was not paid during the following months: (fill in month/year – for example: "3/10") _____

8. In addition to the months when no child support was paid, only a partial payment was made during the following months (fill in month/year and the amount – for example: "3/10 received \$125.00"): _____

9. The total amount of unpaid child support is \$ _____.

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***** If you are seeking contempt for non-payment of SPOUSAL MAINTENANCE, fill out numbers 10 through 12.**

10. Monthly maintenance in the amount of \$_____ was supposed to be paid, but was not paid during the following months (*fill in month/year – for example: “3/10”*): _____

11. In addition to the months when no maintenance was paid, only a partial payment was made during the following months (*fill in month/year and the amount – for example: “3/10 received \$150.00”*): _____
_____.
12. The total amount of unpaid maintenance is \$_____ for the period (*date maintenance was first due*) _____ through (*date maintenance last due*) _____.

***** If you are seeking contempt for failure to deliver PROPERTY awarded to you by the Judgment and Decree or Order, fill out numbers 13 through 15.**

13. I was awarded the following property that has not been returned to me (list the items and paragraphs wherein the items were awarded to you – example: “Television, paragraph 17”): _____

_____.
14. I last saw this property on (month, day, year) _____ when it was located at (*fill in address*) _____.
15. I know that the property is now located at (*fill in the address*): _____
_____ because (explain how you know this) _____

_____.

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***** If you are seeking contempt for interference with your PARENTING TIME fill out the following with respect to EACH parenting time/visitation day that you claim was denied.**

16. I did not have parenting time on the following days and I was denied parenting time because the parent with physical custody did the following *(fill in each day and reason why you were denied parenting time– example “2/1/10 –The other party failed to drop off the children as ordered.”)* _____

_____.

***** If you are seeking contempt for some reason other than for non-payment of child support or spousal maintenance, failure to return property, or denial of parenting time, fill out number 17).**

The other party was ordered to do the following but has not yet done it *(describe what was ordered to be done and list the paragraph numbers of the Judgment and Decree or Order that required it to be done)*: _____

_____.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: _____

Signature _____

Name: _____

Address: _____

City/State/Zip: _____

Telephone: () _____

E-mail address: _____