

**IN THE SOUTHERN UTE TRIBAL COURT  
ON THE SOUTHERN UTE INDIAN RESERVATION**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
City/State \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

Plaintiff

**NOTICE, CLAIM AND SUMMONS TO APPEAR**

vs.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
City/State \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

Defendant

**NOTICE AND SUMMONS TO APPEAR**

**To the Defendant**

You are directed to file a written response, to Plaintiff's Claim set forth below, within twenty-one (21) days from the date of service, or before your appearance date of \_\_\_\_\_ A.M./P.M. at the Southern Ute Tribal Court, located at the Justice Building. On the above appearance date, you should bring with you all books, papers, witnesses needed by you to establish any defenses you might have to the claim. IF YOU DO NOT APPEAR, JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE AMOUNT OF PLAINTIFF'S CLAIM PLUS COSTS OF THIS SUIT. If you wish to present a counterclaim, you must pay a fee of \$50.00. For additional information see back of this petition.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk

**PLAINTIFF'S CLAIM**

The above-named Defendant owes Plaintiff \$\_\_\_\_\_, plus interest and costs allowed by law, for the following reasons and as supported by the attached documentation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant is in the Military Service ☐ yes ☐ no  
I am an attorney ☐ yes ☐ no

Defendant resides, is regularly employed, or has  
an office for the transaction of business on the  
Southern Ute Indian Reservation ☐ yes ☐ no

I declare under penalty of perjury that the above statements are true and correct.

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

I certify that I hand delivered or mailed, certified/restricted, returned receipt requested, the above complaint to the above named defendant on \_\_\_\_\_ at the following address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Court Process Server/Clerk

☐ Plaintiff was notified of non-service on \_\_\_\_\_

**DEFENDANT'S COUNTERCLAIM** (\$50.00 **must** be paid to file a counterclaim)

The Plaintiff owes me \$\_\_\_\_\_, plus interest and cost allowed by law for the following reasons

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I am an attorney [ ] yes [ ] no

I declare under penalty of perjury that the above statements are true and correct.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

Address \_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

### INFORMATION FOR DEFENDANT'S COUNTERCLAIM

- A. When you have been served with a summons to appear for trial in a civil action filed against you in Tribal Court you may if you do not wish to contest Plaintiff's claims.
1. Make an out of court settlement with the plaintiff before the date set for trial and notify the court clerk, in writing, of the settlement.
  2. Not appear at the date and time set for trial, in which case the court will enter default judgment against you for the amount claimed owed by Plaintiff plus costs.
- B. If you wish to contest the claim filed against you must complete and file the response form, **AND APPEAR ON THE DATE AND TIME SET FORTH** in the notice. Bring all books, papers and witnesses needed to establish your defense. Subpoenas should be made 5 days prior to hearing.
- C. If you have a claim against the Plaintiff, or a setoff to the Plaintiff's claim, you may assert a counterclaim or setoff against the Plaintiff by completing the Defendant's Counterclaim and paying a \$50.00 filing fee.
- D. If Plaintiff recovers a judgment against you, the Plaintiff is entitled to immediate payment of the full Amount of the judgement plus court costs. Payment must be made to the clerk of the court. You are entitled to receive a satisfaction of judgment form upon payment. If you do not immediately pay the judgment amount you must complete and return the **Interrogatories Form** listing your property and other assets.
- E. If you contest the claim, you have a right to a right to a Trial to the Court. If you wish to appeal any decision of this court, you must follow the appellate procedures set forth in the Tribal Code.
- F. If you lose the case, you may be required to pay the other party's Court costs, including any service fees.

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