

HOOPA VALLEY TRIBAL COURT
HOOPA, CALIFORNIA

_____) Case No.
PLAINTIFF)
vs.) COMPLAINT FOR JUDGMENT OF
DEFENDANT) FORCIBLE ENTRY AND/OR FORCIBLE
) DETAINER
)
)
)

I, _____, request the court enter a judgment of
forcible entry under 36 HVTC 5.1(A) forcible detainer under 36 HVTC 5.1(B)
against the defendant.

The petition is based on the following facts:

I. JURISDICTION

A. Personal 1 HVTC §1.1.04(b)

1. Plaintiff

a. I own lease rent the following property (list address or description of property
that you are seeking to have defendant evicted from):

b. The property listed above is within the exterior boundaries of the Hoopa Valley
Reservation.

c. My current address and phone number are:

2. Defendant

a. Defendant is currently in possession of the property named above.

b. Defendant's last known address and phone number are:

B. Subject Matter (Check the one that applies)

This case is brought under Hoopa Valley Tribal Code Title 36, Sections II & V.
This case is brought under the traditional law of the Hoopa Valley Tribe, with both
parties agreeing to the application of traditional law pursuant to HVTC Title II,
§2.1.03-2.1.04.

II. FACTUAL BACKGROUND

A. I inherited bought leased rented the property that is the subject of this
suit on or about (date): _____. (Attach any documents including purchase

contracts, lease or rental agreements that prove your ownership of the property.)

B. Forcible Entry 36 HVTC 5.1(A) (Check all that apply)

1. On or about (date): _____, the defendant forcibly entered the home. 36 HVTC 5.1(A)(1)

a. The defendant broke into the house.(Describe):

b. The defendant entered the home by fraud, intimidation, stealth, violence, or circumstances of terror. (Describe):

2. a. The defendant originally had permission to enter the home. 36 HVTC (A)(2)

b. On or about (date): _____, the defendant used force, threats, or menacing behavior to turn the rightful residents out of their home. (Describe):

I have attached witness declarations regarding the defendant's behavior.

C. Forcible Detainer 36 HVTC 5.1(B) (Check all that apply)

1. On or about (date): _____, the defendant entered the home.

a. The defendant unlawfully entered the home at night, or when the rightful residents were not home. 36 HVTC 5.1(B)(2)(describe):

b. On or about (date): _____ the defendant was told to leave the home. 36 HVTC 5.1(B)(2)(describe):

c. The defendant has not left the home.

2. The defendant is currently using force, threats, or menacing behavior to keep the rightful residents from the home 36 HVTC 5.1(B)(1) (Describe the defendants actions, list the threats made): _____

I have attached witness declarations regarding the defendant's behavior.

1 D. Money Damages

- 2 1. The defendant owes \$ _____ in unpaid rent. 36 HVTC § 5.4(D)
- 3 2. The defendant owes \$ _____ in repair costs to the premises. (List
 4 *estimated or completed repair costs*) 36 HVTC § 5.4(D):

5 3. I request the following case costs 3 HVTC Rule 37:

- 6 i. Filing Fee: \$ _____
- 7 ii. Service fee: \$ _____
- 8 iii. Witness Fees: \$ _____
- 9 iv. Jury Fees: \$ _____

10 4. Other: _____

11 E. Accelerated Proceedings 36 HVTC § 5.4(A)-(C)

12 I believe this case should be handled in an accelerated (faster than usual) manner for
 13 the following reason(s):

- 14 1. the property damaged will extreme, or irreparable, if the defendant is not
 15 removed as soon as possible. Explain:
- 16 2. the property is scheduled to be rented or leased to someone other than the
 17 defendant as of: / / .
- 18 3. the property is scheduled to become my residence as of ___/___/___.
- 19 4. other: _____

20 III. Relief Requested

21 I request the court enter a judgment of forcible entry forcible detainer against the
 22 defendant and grant me an immediate writ of possession so that I can have the defendant
 23 removed with the assistance of the police if s/he does not vacate the property
 24 immediately.

25 I request the Court award me the damages requested in this complaint.

I request the court award me the court costs requested in this court.,

I request the Court handle this complaint in an accelerated manner under 36
 HVTC § 5.4(A)-(C).

I declare under penalty of perjury of the laws of the Hoopa Valley Tribe that the above is true and
 correct to the best of my knowledge.

Dated: _____

Signed: _____

Address _____

Phone: _____