

**IN THE SANTA ANA TRIBAL COURT  
COUNTY OF SANDOVAL  
STATE OF NEW MEXICO**

\_\_\_\_\_, Plaintiff,

v.

Case No. \_\_\_\_\_

\_\_\_\_\_, Defendant.

**MOTION**

COMES NOW the Plaintiff/Defendant (circle one) and for their Motion, hereby requests that the Court:

1. *(State what action the moving party wants the Court to take.)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. *(State reasons and facts supporting why the Court should take the action requested.)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. *(State any law that supports the request.)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name *(printed)*

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone number

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a true and correct copy of \_\_\_\_\_ (*insert name of Motion or paper served*) was

☐ SERVED by personal service by \_\_\_\_\_ (*name of person serving the other party*).

☐ Mailed by United States First Class Mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State \_\_\_\_\_

Zip Code \_\_\_\_\_

☐ Faxed by \_\_\_\_\_ (*name of person who faxed document*) to \_\_\_\_\_ (*name of recipient*) at \_\_\_\_\_ (*fax number*). The transmission was reported as complete. The time and date of the transmission was \_\_\_\_\_ (p.m.)(a.m.) on \_\_\_\_\_ (*date*).

☐ Delivered to \_\_\_\_\_ (*specify how service by delivery was made*)

\_\_\_\_\_  
Signature of Person Sending Paper  
Or Providing Service

\_\_\_\_\_  
Name (*printed*)

\_\_\_\_\_  
Date

**USE NOTES:****Rule 5. MOTIONS**

- (a) A party may request an Order from the Contemporary Court by filing a Motion in writing. A Motion is a written request that must state what the party wants the Contemporary Court to do, why the party believes the Contemporary Court should take the action requested, and any law that supports the request. A Motion may be accompanied by a longer written explanation, or brief, stating the reasons, facts and law supporting the requested action. Motions must contain the form caption (as used in Civil Form –PSA-004.)



- (b) Motions must be provided to (served on) all other person or parties named in the case by mailing. The party mailing the Motion must certify the day that the Motion was mailed and to what address it was mailed.

Rule 6. ALL DOCUMENTS MUST BE SIGNED

The Complaint, Answer, and all Motions or other documents (called "Papers") filed with the Court must be signed by the person submitting the document. The address and phone number of the individual signing must follow the signature. By signing, the person submitting the document is certifying that to the best of the individual's knowledge, information and belief, and after investigating the matter, the complaint or document is not submitted for an improper purpose, is factually accurate, there is evidence to support the alleged facts, and the claims are supported by existing law. If a person is represented by an attorney or advocate, only the attorney or advocate may file papers.

Rule 10(c) and (d). FILINGS, COURT CLERK AND DOCKET

(c) The filing party must, at or before the time of filing a paper, send a copy to the other parties in the case. Service on a party represented by an attorney or advocate must be made on the party's attorney or advocate.

(d) Manner and Proof of Service

- i. A party may serve papers through any of the following means:
  - (1) In person, if pro se. If the party is represented by and advocate or attorney, by delivery to the attorney or advocate;
  - (2) By U.S. Mail;
  - (3) By third party commercial carrier for delivery within three (3) days; or
  - (4) By facsimile.
- ii. Service by mail or by commercial carrier is complete on mailing or delivery to the carrier. Service by facsimile is complete on successful transmission, unless the party making service is notified that the paper was not received by the party served.
- iii. The party serving the paper should certify at the end of the document how service was made, the address or facsimile number to which it was sent, and the date it was sent.

*(Reference: Pueblo of Santa Ana Rules of Procedure for the Contemporary Court; Adopted by Resolution No. 07-R-54, November 8, 2007. Form amended 01/27/17.)*