



Mashpee Wampanoag Tribal Court
483 Great Neck Rd. South
P.O. Box 480, Mashpee, MA 02649
Phone (508) 477-0208 Fax (774) 361-6032

Filling out a Complaint Form Instructions and Process of Filing a Complaint*

1. **Plaintiff:** Insert your name and Tribal ID# (if applicable)
2. **Defendant:** Name of person or Tribal Department.
3. **Complaint:** In this section state the nature of your complaint and who and what caused it. Be specific as possible regarding what happened.
 - a. Basis of Tribal Court Jurisdiction in regards to violation attach Constitution or Ordinance.
 - b. If you know of any Tribal Law that was violated as part of your above statement, state what it is. If not, leave it blank. The Tribal Court Clerk cannot help you with section as the Tribal Court Clerk is not able to give Legal advice. The Tribal Court Clerk can help with explaining the process only.
 - c. Please explain the relief you are seeking. If you are suing the Tribe, be aware that the Tribe has Sovereign Immunity.
4. You must swear that everything you have stated in the complaint is true. You can be charged with perjury if you intentionally state in the complaint anything that is not true. Print and Sign your Legal Name with date and address with phone number.
5. Once Complaint Form is filled out properly a \$40.00 court filing fee is required to be filed with the complaint. Court only accepts Cash, Money Order or Cashier's Check.
6. Once you have filed the Complaint and paid the Filing Fee with the Court, the Court Clerk will issue you a Summons and Affidavit of Service. You must serve the Complaint to the Defendant with a Summons and copy of the Complaint. Once you have served the Defendant by mail or hand deliver an Affidavit of Service (which is the complaint's proof of delivery) needs to be bought to the Court Clerk.

*August 17th, 2017



Mashpee Wampanoag Tribal Court

DOCKET NUMBER# _____

1. PLAINTIFF

Name & Tribal ID # (if applicable)

2. DEFENDANT

Name & Tribal ID# (if applicable)

Is the action against the Mashpee Wampanoag? Y/N If so, which Department? _____

3. Complaint (continue on separate sheet if necessary):

a. Basis of Tribal Court Jurisdiction (i.e. Constitution, Ordinance; continue on separate sheet if necessary): _____

b. The following right(s) and/or Tribal Law(s) were violated (continue on separate sheet if necessary):

c. Please explain the relief you are seeking (continue on separate sheet if necessary):

I swear or affirm by signing below that I have read this complaint and that to the best of my knowledge, the facts stated are true and correct. I understand that it is my responsibility to provide a copy of this Complaint to each and every Defendant. I must provide proof to the Tribal Court that this complaint has been served before the action can proceed.

Print Name: _____

Sign Name: _____

Date: _____

Address: _____

Phone Number _____

COMPLAINT FORM INSTRUCTIONS

#1	PLAINTIFF	→→→	Insert your Name & Tribal ID# (if applicable)
#2	DEFENDANT	→→→	Name of person or tribal department (i.e., Election Committee, Enrollment Committee, or Housing Dept etc.)
#3	COMPLAINT	→→→	In this section state the nature or your complaint and who and what caused it. Be specific as possible regarding what happened
#3a	BASIS Tribal Court Jurisdiction	→→→	(example... Constitution, Ordinance; continue on separate sheet if necessary)
#3b	TRIBAL LAW or CONSTITUTIONAL RIGHT	→→→	If you know of any Tribal Law that was violated as part of your above statement, state what it is. If not leave it blank.
#3c	RELIEF YOU ARE SEEKING	→→→	Every final judgment must grant a remedy or remedies to the successful party, even if a specific remedy is not demanded in the pleadings filed with the court.
No Number	SWEAR CLAUSE	→→→	Please read and understand then Print Legal Name with Signature, Address and Phone Number
No Number	FILING FEE	→→→	Once Complaint Form is filled out properly a \$40.00 court filing fee is required to be filed with the complaint. Court only accepts Cash, Money Order or Cashier's Check
No Number	SUMMONS & AFFIDAVIT OF SERVICE	→→→	You must be serve the Complaint to the Defendant(s) with a Summons within 60 days by using an officer or a constable authorized by the Court; or Mailing a copy by first-class, certified mail with return receipt requested to the Defendant(s) at his/her last known address. Once you served the Defendant(s) an <u>Affidavit of Service</u> (which is the complaint's proof of delivery) needs to be bought to Court Clerk.

MASHPEE WAMPANOAG TRIBAL COURT
ACTIVE BAR MEMBERSHIP as of June 1st, 2022

<p>Jonathan M. Polloni, Esq. Senie & Associates, P.C. 15 Cape Lane Brewster, MA 02631 774-323-3027 jpolloni@senie-law.com</p>	<p>Max D. Stern, Esq. Todd & Weld, LLP One Federal St., Boston, MA 02110 617-227-5777 mstern@toddweld.com</p>
<p>Melinda Thompson, Esq. Todd & Weld, LLP One Federal St., Boston, MA 02110 617-720-2626 mthompson@toddweld.com</p>	<p>Howard Cooper, Esq. Todd & Weld, LLP 1 Federal St., Boston, MA 02110 617-624-4787 hcooper@toddweld.com</p>
<p>Raymond Yox, Esq. (Pro Bono) South Coastal Counties Legal Services, Inc Hyannis Law Office 460 West Main St., Hyannis, MA 02601 508-775-7020 Fax 508-790-3955 ryox@sccls.org</p>	<p>Edward F. O'Brien Jr., Esq. Law offices of Michaela D. McCuish 4650 Route 28, Unit 6 Cotuit, MA 02635 508-744-3178 eobrien@capeattorneys.com</p>
<p>Benjamin Wish, Esq. Todd & Weld, LLP One Federal St., Boston, MA 02110 617-720-2626 bwish@toddweld.com</p>	<p>Devin W. McBride Law Offices of Attorney Devin McBride 15 Cottage Ave, 4th floor Quincy, MA 02169 781-603-6852 devin@mcbritelaw.info</p>