

## **ORDER-DISMISSAL OF ACTION**

- Purpose:** This is the form the court uses to dismiss a guardianship or adoption action based on the petitioner's failure to appear or otherwise continue with the action.
- How:** If a petitioner fails to appear in Court as required, the action filed by the petitioner may be dismissed by order of the court. The order may be issued on the basis of the court's own motion or on the motion of the respondent.
- Copies:** The original Order-Dismissal is stored in the court case file. A copy is given to the petitioner, respondent and all applicable advocates.

FORT PECK TRIBAL COURT  
 ASSINIBOINE AND SIOUX TRIBES  
 FORT PECK INDIAN RESERVATION  
 POPLAR/WOLF POINT, MONTANA

IN THE MATTER OF THE ADOPTION )  
 OF: )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) ORDER OF DISMISSAL  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) CASE NO. \_\_\_\_\_.  
 \_\_\_\_\_ )  
 (A) MINOR INDIAN CHILD(REN) )  
 \_\_\_\_\_ )

The petitioner(s), \_\_\_\_\_, have come before this Court requesting they be granted an adoption order naming them as the parents of the above-named minor child(ren). They filed their petition pursuant to the requirements of the Tribal Code. As required, the petitioner(s) were duly notified of a hearing scheduled to review their petition. In that the petitioner's initiated this process, it is mandatory that they attend this hearing, unless specifically exempted or excused by the Court. A hearing was scheduled in this matter on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_.m., at the Fort Peck Tribal Court, Poplar, Montana.

This Court was prepared to conduct hearing at this time, however, the petitioner(s) failed to appear as required. There has been no explanation from the petitioner(s) on their absence.

THEREFORE, it is hereby ordered that this matter shall be dismissed on the tenth (10) day following the date of this Order. During this ten (10) days, the petitioner's shall have the opportunity to file affidavits explaining their absence. Said filing should include an order rescheduling this matter, if the Court chooses to reschedule. If no order is signed rescheduling this matter within ten (10) days, this matter shall be dismissed.

ORDER AND SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
TRIBAL COURT JUDGE

ATTEST: \_\_\_\_\_  
Clerk of Court