

**IN THE COMANCHE NATION TRIBAL COURT
DISTRICT COURT**

	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. _____
	)	
COMANCHE NATION,	)	

APPLICATION FOR POST-CONVICTION RELIEF
(Petitioner must use one application for each conviction.)

PART A

I, _____, whose present address is
_____, hereby apply for relief.

The sentence from which I seek relief is as follows:

1. (a) Court in which sentence was rendered _____
(b) Case Number _____
2. Date of sentence _____
3. Terms of sentence _____

4. Name of Presiding Judge _____
5. Are you now in custody serving this sentence? Yes() No()
Where? _____
6. For what crime or crimes were you convicted? _____

7. Check whether the finding of guilty was made:
After plea of guilty () After plea of not guilty ()
8. If found guilty after plea of not guilty, check whether the finding was made by:
A jury () A judge without a jury ()
9. Name of lawyer who represented you in trial court:

10. Was your lawyer hired by you or your family? Yes() No()

Appointed by the court? Yes() No()

11. Did you appeal the conviction? Yes() No()

To what court or courts? _____

12. Did a lawyer represent you for the appeal? Yes() No()

Was it the same lawyer as in No. 9 above? Yes() No()

If "no," what was this lawyer's name? _____

Address? _____

13. Was an opinion written by the appellate court? Yes() No()

If "yes," give citations if published: _____

If not published, give appellate case no.: _____

14. Did you seek any further review of or relief from your conviction at any other time in any court? Yes() No()

If "Yes," state when you did so, the nature of your claim and the result (include citations to any reported opinions.)

PART B

(If you have more than one proposition for relief, attach a separate sheet for each proposition. Answer the questions below as to each additional proposition, labelled SECOND PROPOSITION, THIRD PROPOSITION.)

I believe that I have _____ (number of) propositions for relief from the conviction and sentence described in PART A. This is the first proposition.

1. Of what legal right or privilege do you believe you were deprived in your case?

2. In the facts of your case, what happened to deprive you of that legal right or privilege and who made the error of which you complain?

3. List by name and citation any case or cases that are very close factually and legally to yours as examples of the error you believe occurred in your case.

4. How do you think you could now prove the facts you have stated in answer to Question No. 2, above? Attach supporting documentation.

5. If you did not timely appeal the original conviction, set forth facts showing how you were denied a direct appeal through no fault of your own.

6. Is this a proposition that could have been raised on Direct Appeal? Yes() No()

Explain: _____

PART C

I understand that I have an absolute right to appeal to the Appellate Court for the Comanche Nation Tribal Court from the trial court's order entered in this case, but unless I do so within thirty (30) days after the entry of the trial judge's order, I will have waived my right to appeal.

PART D

I have read the foregoing application and assignment(s) of error and hereby state under oath that there are no other grounds upon which I wish to attack the judgment and sentence under which I am presently convicted. I realize that I cannot later raise or assert any reason or ground known to me at this time or which could have been discovered by me by the exercise of reasonable diligence. I further realize that I am not entitled to file a second or subsequent application for post-conviction relief based upon facts within my knowledge or which I could discover with reasonable diligence at this time.

(As Applicable)

Signature

_____, being first sworn under oath, states that he/she signed the above application and that the statements therein are true to the best of his/her knowledge and belief.

Signature

My Commission Expires: _____

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