

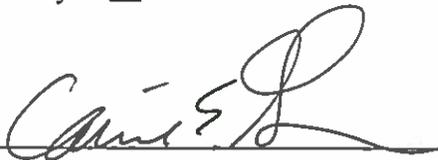
(20) days after the complaint was served shall be in default and shall provide grounds for judgment against the defendant as asked for in the complaint. No judgment of default shall be made, however, unless the plaintiff makes a written motion for a default judgment and serves a copy of the motion on each defendant. If defendant files an answer to the complaint at or before the time that the motion is to be argued to the Judge, no default judgment shall be granted, and the matter shall proceed as though answered on time. If defendant does not answer by that time, a default judgment shall be entered.” SRMT Rules Civ. Pro XIII [Rule 10] (A).

In the case at bar we note that the Complainant filed and served their Complaint with the 20 Day Civil Summons in accordance with the SRMT Rules Civ. Pro.⁴ The Complainant also filed his Notice of Motion for default judgment following the Respondent’s failure to answer the Complaint in accordance with the SRMT Rules Civ. Pro.⁵ The Respondent failed as well to appear before the Court at a scheduled hearing regarding the Motion for Default Judgment.⁶

Conclusion

Therefore, due to the Respondent’s failure to file an answer to the complaint filed by the Complainant, failure to file an answer to the motion for default judgment, and failure to appear for the scheduled hearing on the motion for default judgment on July 18, 2016 in SRMT Court, the Motion for Default Judgment is granted. The Respondent, David Francis, is hereby **ORDERED** to pay monetary relief in the amount of \$375 to the Complainant, Peter Glen, owner of Hi-Tech Satellite Services, in satisfaction of the relief requested in the Complaint filed with this Court on August 14, 2015.

Signed by my hand this 18th day of July 2016.



Carrie E. Garrow, Chief Judge Saint Regis Mohawk Tribal Court



⁴ *Id.*

⁵ *Id.*

⁶ *Id.*