

IN THE DISTRICT IN AND FOR _____ COUNTY
STATE OF OKLAHOMA

| | | |
|------------------------|---|----------------|
| THE STATE OF OKLAHOMA, |) | |
| |) | |
| |) | |
| |) | |
| vs. |) | Case No. _____ |
| |) | |
| _____, |) | |

Defendant's Pro Se Motion to Dismiss for Lack of Jurisdiction

Comes now the above named defendant, *pro se*, and moves this Court to dismiss the above styled case for lack of jurisdiction because the above named defendant is a member of a federally recognized tribe and the alleged offense occurred within "Indian Country" as defined by federal law. (See *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020)). In support of this motion the defendant informs the Court the following:

1. The above named defendant is a member of a federally recognized tribe. (See attached copy of defendant's CDIB card)
2. The crime the defendant has been charged with occurred within "Indian Country" as defended by federal law. (See *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020))
3. The state of Oklahoma does not have jurisdiction to prosecute the defendant.

Conclusion

Therefore, defendant request that this court dismiss the above styled case.

Respectfully Submitted,

Defendant

Address

Phone Number

CERTIFICATE OF DELIVERY

I hear by certify that a copy of the foregoing instrument was delivered on
_____ to the office of the following:

_____ County District Attorney's Office

Defendant