

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____]	
]	
Petitioner,]	Civil Action File
v.]	
]	No. _____
_____]	
]	
Respondent.]	

PETITION FOR STALKING TEMPORARY PROTECTIVE ORDER

The Petitioner, pursuant to O.C.G.A. § 16-5-94, hereby files this Petition for a Stalking Temporary Protective Order and in support shows the Court the following:

1. The Petitioner is a resident of _____ County, Georgia and is over the age of 18 years of age or is an emancipated minor.
2. The Respondent is a resident of _____, Georgia, and may be served at _____, _____ County, Georgia.

OR

2a. Respondent is a resident of the State of _____. Under O.C.G.A. §§19-13-2(b) and 16-5-94(6) jurisdiction and venue are proper with this Court because the stalking occurred in the State of Georgia in _____ County and the Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this Court and may be served at _____.

3. On or about _____, 20__, the Respondent has knowingly and willfully committed the following acts of stalking under O.C.G.A. §§ 16-5-90 et seq.

and similar events may occur in the future. These acts had no legitimate purposes, happened at places other than the residence of the Respondent, were without the consent of the Petitioner, and placed Petitioner in reasonable fear for her/his own safety and/or the safety of her/his immediate family.

THEREFORE, Petitioner requests:

- (a) That the Court set a hearing within thirty (30) days of the signing of the Order and to direct Respondent to appear before this Court and to show any reasons why the demands of the Petitioner should not be granted;
- (b) That the Respondent be served a copy of this Petition and Ex Parte Protective Order as required by law;
- (c) Order law enforcement to enforce the order;
- (d) That this Court issue a twelve month protective order to:

- _____ order Respondent to stop harassing and intimidating Petitioner and her/his immediate family;
- _____ order Respondent not have any direct or indirect contact with the petitioner and her/his immediate family;
- _____ order Respondent be enjoined from approaching within _____ yards of Petitioner and Petitioner's residence;
- _____ order Respondent refrain from the conduct toward the Petitioner as stated in this Petition;
- _____ order Respondent to receive appropriate psychiatric or psychological services;
- _____ award Petitioner costs and attorney fees for having to bring this action.

Respectfully submitted,

Petitioner

Address _____

Phone _____

RESPONDENT'S IDENTIFYING FACT SHEET

Complete as much as possible

Respondent's social security number is _____, date of birth is _____, sex ____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag number _____ and has a _____ (state) driver's license number _____. Respondent's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____.

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____]	
]	
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]	No. _____
_____]	
]	
Respondent.]	

VERIFICATION

Personally appeared _____, who being duly sworn states that she/he is the Petitioner in the above styled case and that the facts set forth in the foregoing Petition for Stalking Temporary Protective Order are true and correct.

Petitioner

Sworn and subscribed before me
this _____ day of _____, _____

NOTARY PUBLIC
My commission expires:

*** REMOVE THIS PAGE FROM PETITION ***

Pursuant to O.C.G.A. § 19-13-3,
Petitioner assisted by:

Name _____

Address _____

Phone _____

ORI Number _____

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____	:	
Petitioner,	:	Civil Action File
v.	:	No. _____
_____	:	
Respondent.	:	

STALKING EX PARTE TEMPORARY PROTECTIVE ORDER

Upon proceedings before me, the Petitioner having demanded pursuant to O.C.G.A. § 16-5-94 that a Protective Order be issued; and alleged that Respondent has knowingly and willfully committed or attempted to commit acts in violation of O.C.G.A. § 16-5-90 *et seq.*, and such acts were not at the home of the Respondent, had no legitimate purpose and that Petitioner is in reasonable fear of her/his safety and/or the safety of her/his immediate family; and it appearing to the Court that probable cause exists to believe that similar events will occur in the future, IT IS HEREBY ORDERED AND ADJUDGED:

1. That Respondent is enjoined and restrained from any acts directly or indirectly [pco01,02] which harass and/or intimidate the Petitioner or her/his immediate family.
2. That Respondent is enjoined from approaching within _____ yards of Petitioner. [pco01,04]
3. That Respondent have no contact of any type, direct or indirect, or through another person with Petitioner, or her/his immediate family, including but not limited to telephone, pager, fax, e-mail, mail or any other means of communication.
4.

<p>That the Respondent appear before _____, Judge, on the day of _____, 20__ at _____ in room ____ of the _____ County court house at _____ to show why the demands of the Petitioner should not be granted.</p>

5. That a copy of this Order be given to local law enforcement and the Respondent be served with a copy of this Order and Petition for Stalking Temporary Protective Order instantaner.

CIVIL ACTION FILE NO. _____

6. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law Enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.
7. That these proceedings be filed in the office of the Clerk of this Court.
8. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and the Court ordered that the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as ordered as if an Order of the enforcing state or jurisdiction.

SO ORDERED this _____ day of _____, 20_____.

JUDGE, SUPERIOR COURT

County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO RESPONDENT

- 1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.**
- 2. This Order shall remain in effect unless specifically superceded by a subsequent signed and filed Order, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.**
- 3. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts Petitioner on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.**

CIVIL ACTION FILE NO. _____

Pursuant to O.C.G.A. Section 19-13-3,
Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.

CIVIL ACTION FILE NO. _____

RESPONDENT'S IDENTIFYING INFORMATION

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth, social security number, or driver's license number)

Respondent's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag number _____ and has a _____ (state) driver's license number _____. Respondent's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____.

PETITIONER'S IDENTIFYING INFORMATION

Protected Parties _____ DOB _____ sex _____ race _____
_____ DOB _____ sex _____ race _____
_____ DOB _____ sex _____ race _____
_____ DOB _____ sex _____ race _____

Transmitted to the Georgia Protective Order Registry Date _____ Clerk _____

ORI Number _____

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____	:	
Petitioner,	:	Civil Action File
v.	:	
	:	
_____	:	No. _____
Respondent.	:	

STALKING PROTECTIVE ORDER

A hearing was held on this matter on _____, 20__ at which the Respondent appeared and/or was provided with the opportunity to be heard and the Petitioner requested that the Protective Order entered in this case be continued. Having heard the evidence presented, reviewed the petition and the record concerning this case and for good cause shown, IT IS HEREBY ORDERED AND ADJUDGED:

1. [pco01] The Respondent has knowingly and willfully violated O.C.G.A. § 16-5-90 *et seq.* and placed the Petitioner in reasonable fear for the Petitioner’s safety. Respondent [pco02] is hereby enjoined and restrained from doing or attempting to do, or threatening to do any act constituting a violation of O.C.G.A. § 16-5-90 *et seq.* and of harassing, interfering, or intimidating the Petitioner or Petitioner’s immediate family. Specifically Respondent is hereby enjoined and restrained from _____ which is a violation of O.C.G.A. § 16-5-90 *et seq.* and that any future acts committed by the Respondent towards the Petitioner which are in violation of this statute and this Protective Order can amount to AGGRAVATED STALKING, pursuant to O.C.G.A. § 16-5-91, which is a felony. A person convicted of Aggravated Stalking shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00.

2. [pco04] Respondent is enjoined and restrained from approaching within _____ yards of Petitioner and/or Petitioner’s immediate family, and/or residence, place of employment, or school.

3. [pco05] Respondent is not to have any contact of any type, direct, indirect, or through another person with the Petitioner or her/his immediate family, including but not limited to telephone, fax, e-mail, voice mail, mail, or any other type of contact.

CIVIL ACTION FILE NO. _____

4. That these proceedings be filed in the office of the Clerk of this Court.
5. This Order shall remain in effect for up to twelve (12) months from this date. This Order expires on _____, 20____.
6. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law Enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.
7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Respondent received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY the following that are initialed by the JUDGE shall apply:

- ____ 8. Respondent is to receive appropriate psychiatric or psychological services.
- ____ 9. Petitioner is awarded costs and attorney fees in the amount of _____.
- ____ 10. Petitioner/protected party is either a spouse, former spouse, parent of a [pc007] common child, child of Petitioner, child of Respondent, cohabitates or has cohabited with Respondent and qualifies for 18 U.S.C. § 922(g).

SO ORDERED this _____ day of _____, 20____.

JUDGE, SUPERIOR COURT

County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO RESPONDENT

1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.
2. This Order shall remain in effect unless specifically superceded by a subsequent Order signed and filed, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.
3. If after a hearing, of which the Respondent received notice and opportunity to participate, a protective order is issued which restrains Respondent from harassing, stalking or threatening an intimate partner, Respondent is prohibited from possessing, receiving, or transporting a firearm or ammunition which has been shipped or transported in interstate or foreign commerce for the duration of the Order. 18 U.S.C. § 922(g).
4. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts another person on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony aggravated stalking, which carries penalties of imprisonment

CIVIL ACTION FILE NO. _____

*** REMOVE THIS PAGE FROM ORDER ***

Pursuant to O.C.G.A. Section 19-13-3,
Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court may delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.

CIVIL ACTION FILE NO. _____

RESPONDENT'S IDENTIFYING INFORMATION

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth OR social security number)

Respondent's social security number is _____, date of birth is _____, sex ____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____. Ethnic background _____ Respondent drives a _____, license tag number _____ and has a ____ (state) driver's license number _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent's home address _____ and is employed by _____ at _____ and works from ____ to _____

PETITIONER'S IDENTIFYING INFORMATION

Protected parties _____ DOB _____ sex ____ race _____
_____ DOB _____ sex ____ race _____
_____ DOB _____ sex ____ race _____
_____ DOB _____ sex ____ race _____
_____ DOB _____ sex ____ race _____

Transmitted to Georgia Protective Order Registry Date _____ Clerk _____