

ORDER OF PROTECTION

FINAL DOMESTIC ABUSE PROTECTION ORDER



STATE OF MISSISSIPPI

COURT	
COUNTY	
ISSUING JUDGE	
CAUSE NO.	
DATE ISSUED	

Number of persons being protected.

PETITIONER

LAST NAME	FIRST NAME	MIDDLE NAME	DOB (MM/DD/YYYY)	SEX	RACE

YES NO Is the petitioner to be protected?

OTHER PERSON(S) TO BE PROTECTED:

LAST NAME	FIRST NAME	MIDDLE NAME	DOB (MM/DD/YYYY)	SEX	RACE

RESPONDENT

LAST NAME	FIRST NAME	MIDDLE NAME
ADDRESS 1		
ADDRESS 2		
CITY	STATE	ZIP

RESPONDENT'S IDENTIFIERS:

DOB (MM/DD/YYYY)	EYE COLOR	SEX
WEIGHT	HAIR	RACE
HEIGHT	SOCIAL SECURITY #	
DRIVER LICENSE #	STATE	EXP DATE
ALIASES	FEATURES	

RELATIONSHIP OF PROTECTED PERSON(S) TO RESPONDENT: (check all that apply)

- Current or former spouse
- Person currently living or who formerly lived as spouse
- Person having child(ren) in common
- Current or former dating partner
- Other blood or marriage relative currently residing or who formerly resided with Respondent.

CAUTION AND MEDICAL CONDITIONS

<input type="checkbox"/> 55 Alcoholic	<input type="checkbox"/> 50 Heart Condition
<input type="checkbox"/> 60 Allergies	<input type="checkbox"/> 85 Hemophiliac
<input type="checkbox"/> 00 Armed and Dangerous	<input type="checkbox"/> 40 International Flight Risk
<input type="checkbox"/> 90 Diabetic	<input type="checkbox"/> 20 Known to Abuse Drugs
<input type="checkbox"/> 65 Epilepsy	<input type="checkbox"/> 10 Martial Arts Expert
<input type="checkbox"/> 25 Escape Risk	<input type="checkbox"/> 80 Medication Required
<input type="checkbox"/> 15 Explosive Expertise	<input type="checkbox"/> 01 Other

THE COURT HEREBY FINDS:

- The Court has jurisdiction over the parties and subject matter under the laws of the State of Mississippi.
- Respondent has been provided with reasonable notice and an opportunity to be heard as prescribed by law.
- Respondent has committed one or more acts of abuse against the petitioner or protected person(s), and presents a credible threat to the safety of the petitioner and/or protected person(s).
- Respondent is restrained from committing further acts of abuse or threats of abuse against the protected person(s).
- Pursuant to 18 U.S.C. § 2265, this Order shall be presumed to be valid and enforceable in all 50 states, the District of Columbia, Tribal Lands, U.S. Territories and Commonwealths.
- Any provisions regarding custody, visitation and/or support of minor children herein expire on _____ (180 days from date of Order).
- Additional terms of this Order are set forth on the following pages.

EXPIRATION DATE:

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To verify status, call: Sheriff ()

THE COURT MAKES THE FOLLOWING SPECIFIC FINDINGS: (initial and check all that apply)

The Petitioner has proven by a preponderance of the evidence that the Respondent has committed abuse by committing one or more of the following acts against: (list individuals abused)

- _____ attempted to cause or intentionally, knowingly or recklessly caused bodily injury to the protected person(s);
- _____ by physical menace, placed in fear of imminent serious bodily injury;
- _____ criminal sexual conduct against a minor as defined in M.C.A. § 97-5-23;
- _____ stalking as defined in M.C.A. § 97-3-107 and/or cyberstalking as defined in M.C.A. § 97-45-15; and/or
- _____ sexual battery or rape.

Describe specific conduct giving rise to the finding(s) of abuse:

THE COURT ORDERS AS FOLLOWS: (check and initial all that apply)

_____ Respondent is prohibited from abusing, harassing, stalking, following or threatening the petitioner or protected person(s) in any manner whatsoever, including by electronic means, that would place that person in reasonable fear of bodily injury. This also includes the use, attempted use or threatened use of physical force against the petitioner or protected person(s) that would reasonably be expected to cause bodily injury.

_____ Respondent is prohibited from contacting the protected person(s) either in person, by phone, electronic communication, or through a third party, except such contact as may be necessary for the purposes set forth below. (List other designated household members.) _____

_____ Respondent is prohibited from going within _____ yards of the protected person(s) (to include place of employment, school, etc.), except for the purposes set forth below.

Exceptions to the contact and/or distance prohibition(s):

- _____ To exchange the minor child(ren) for visitation pursuant to an existing court order.
- _____ During medical emergencies involving the minor children.
- _____ To attend special events involving the minor children (sporting events, school functions, etc.) as deemed appropriate by the Court.
- _____ Other (if other exceptions are permitted, please detail in the space marked "Other" provided below)
- _____ NO EXCEPTIONS.

CAUSE NO.

_____ Petitioner is granted the use of the residence located at _____ (hereinafter referred to as "residence") to the exclusion of the Respondent and Respondent shall not enter upon the premises of the residence for any reason whatsoever except as may be otherwise provided by the Court below. Respondent shall in no way interfere with the use and enjoyment of the residence by any act that results in disconnection of current services to the residence.

_____ or a representative shall be allowed to return to the residence to retrieve his/her personal clothing and other necessities and/or those of the minor children and/or incompetent person(s), **provided that he/she is accompanied by a law enforcement officer to ensure the protection and safety of the parties. The law enforcement agency having jurisdiction in the locality of the residence shall accompany the returning party at a date and time deemed appropriate by that agency.** Such return shall be scheduled without delay and at a date and time most likely to result in successful retrieval of the necessary items. **NO FORCED ENTRY ALLOWED.**

_____ Respondent is prohibited from transferring or disposing of property mutually owned or leased by the parties.

_____ shall be awarded temporary custody of the minor children (list all children) _____

and, if applicable, incompetent persons (list all incompetent persons) _____

Visitation by _____ with the listed persons is hereby established as follows: _____

Any provisions regarding custody or visitation of minor children herein expire on (180 days from date of Order). _____

_____ Respondent shall pay \$ _____ per month for the temporary support of the minor children, with the first payment to begin on _____ and all subsequent payments to be paid on the _____ day of each month. Any provisions regarding support of minor children herein expire on (180 days from date of Order). _____

_____ Respondent shall pay \$ _____ per month for the temporary support of the petitioner or incompetent person, with the first payment to begin on _____ and all subsequent payments to be paid on the _____ day of each month.

_____ Respondent shall pay to Petitioner the following monetary compensation for losses suffered as a result of the abuse: _____

CAUSE NO.

[Empty box for Cause No.]

_____ Respondent shall enroll in and complete the following counseling and/or batterer intervention program and shall be responsible for all costs associated with such program: _____

_____ Respondent shall pay all costs of the proceedings before this Court pursuant to M.C.A. § 93-21-7(2) Said costs are as follows: \$ _____

_____ Other: _____

THE COURT FURTHER ORDERS:

A certified copy of this Order shall be provided to law enforcement for immediate service upon the Respondent. Service of Process shall be executed without prepayment of fees. A certified copy of this Order shall be provided to the Petitioner and the Sheriff of the issuing county. ANY LAW ENFORCEMENT OFFICER HAS THE DUTY TO ENFORCE THE TERMS OF THIS ORDER.

This Order shall be submitted to the Mississippi Protection Order Registry.

Only the Court can modify, change or dismiss the provisions of this Order. Neither party can modify or change this Order without the Court's approval. Petitioner/Protected Person(s) CANNOT waive the terms of this Order or give Respondent permission to violate the Order.

NOTICE TO RESPONDENT

- Any knowing violation of this Order may subject you to arrest and prosecution for a misdemeanor and punishable by a fine of up to \$1000.00 or by confinement in jail for as long as 6 months, or both. This Order is enforceable by all Mississippi law enforcement officers, and law enforcement officers from any other U.S. State, U.S. Territory or Tribal Territory.
- As a result of this Order, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(8) [and/or state, tribal, territorial or local law]. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

SO ORDERED AND ADJUDGED, this the _____ day of _____.

Judge