

<h2 style="margin: 0;">PETITION FOR PROTECTIVE ORDER</h2>	<p>Ponca Tribal District Court State of Oklahoma</p> <p>Case Number _____</p>																																								
<p>Petitioner</p> <p>_____</p> <p>First Middle Last</p> <p>and/or on behalf of minor family member(s)</p>	<p>Additional Petitioner Information</p> <p>Name(s) and age(s) of minor family member(s)</p> <p>_____</p> <p>_____</p> <p>_____</p>																																								
<p>-VS-</p> <p>Defendant</p> <p>_____</p> <p>First Middle Last</p> <p>Relationship to Petitioner: _____</p> <p>Defendant's Address (Street address, City, State, Zip Code) _____</p> <p>_____</p> <p>_____</p>	<p>Defendant Identifiers</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">SEX</td> <td style="width: 15%;">RACE</td> <td style="width: 15%;">DOB</td> <td style="width: 15%;">HT</td> <td style="width: 15%;">WT</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>EYES</td> <td>HAIR</td> <td colspan="3">DISTINGUISHING FEATURES</td> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <td colspan="2">DRIVERS LICENSE #</td> <td>STATE</td> <td colspan="2">EXPIRES</td> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> <tr> <td colspan="5">Other</td> </tr> <tr> <td colspan="5"> </td> </tr> </table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	DISTINGUISHING FEATURES								DRIVERS LICENSE #		STATE	EXPIRES							Other									
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(Clerk's File Stamp Below)

1. Information About the Parties.

Several factors may apply. Please read ALL items below carefully & check any that apply.

A. The Defendant's Relationship to Petitioner(s):

1. Intimate Partner:

- Defendant is my current spouse
- Defendant is my former spouse
- Defendant and I are dating, or have dated, each other
- Defendant and I are, or have been, engaged in a sexual relationship
- Defendant and I are the biological parents of the same child
- Defendant and I currently live together, or previously lived together, in an intimate relationship

- Defendant is an Intimate Partner of a minor child listed above
- Assault and Battery with a Deadly Weapon
- First Degree Murder of Immediate Family Member (Petitioner is a member of the Immediate Family)

1. Family or Household Member:

- Defendant is my parent, grandparent, stepparent, adoptive parent, or foster parent
- Defendant is my child, grandchild, stepchild, adopted child, or foster child
- Defendant is otherwise related to me (by marriage or blood) and lives in the same household as me
- Defendant is a Family or Household Member of the minor child(ren) listed above

B. *If you DID check one or more items in Section A above, then complete this section.*

Petitioner is a (check all that apply):

- Victim of Domestic Violence/Abuse
- Victim of Harassment
- Victim of Rape
- Victim of Stalking
- Family or Household Member of the Minor Child/Children Listed Above

C. *If you DID NOT check one or more items in Section A above, then complete this section.*

Defendant has committed the following acts against Petitioner and/or the minor(s) listed above:

- Rape
- Sex Offense
- Assault and Battery with a Deadly Weapon
- Forcible Sodomy
- Kidnapping
- Stalking (**police report required; a copy of the complaint must be attached or provided at the hearing**)

D. First Degree Murder (check if applicable). Petitioner is an Immediate Family Member of a Victim of First Degree Murder, and Defendant has Been Charged and Convicted of that Crime

2. Statement of Jurisdiction.

INSTRUCTION: Check all that apply

- Petitioner is a resident of the county wherein this Petition is filed.

- Defendant is a resident of the county wherein this Petition is filed.
- The domestic abuse occurred in the county wherein this Petition is filed.

3. Actions of the Defendant.

INSTRUCTION: Check and complete one or more of the following. Fill in the blank lines of checked items.

The Defendant has caused or attempted to cause physical harm to: _____(Name(s))

The Defendant has threatened imminent physical harm to: _____(Name(s))

The Defendant has harassed: _____(Name(s))

The Defendant has stalked: _____(Name(s))

The Defendant has committed Rape Sex Offense Assault and Battery with a Deadly Weapon Forcible Sodomy Kidnapping against _____(Name(s))

4. Description of Incident(s).

The incident(s) which caused the filing of the Petition occurred on or about_____. (Dates(s)). Describe what happened, when and where the event(s) occurred. List all actions or behaviors you intend to present to the Court at the hearing.

ATTACH ADDITIONAL PAGES IF NECESSARY

5. Other Cases. Please list all cases (divorce, protection orders, paternity, guardianship, criminal, juvenile, civil) involving the Defendant and yourself, or a child you have with the Defendant (attach additional sheets or paper if necessary):

Case Number *Case Name* *County & State*

6. Type of Order Requested. INSTRUCTION: Check either A or B

A. Petitioner does not request an Emergency Ex Parte Protective Order but does request the following relief, checked below, after notice and hearing, in a Final Order;

OR

B. Petitioner does request an Emergency Ex Parte Order because it is necessary to protect the Petitioner(s) from immediate and present danger. Petitioner requests the following relief, checked below, in the Ex Parte Order and, after notice and hearing, requests the same relief in a Final Order.

RELIEF REQUESTED

INSTRUCTION; Check EACH item which you are requesting from the Court

1. Defendant should be prohibited from attempting or having **ANY CONTACT** whatsoever with the Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court.

2. Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.

3. Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.

4. Defendant should be ordered to leave and remain away from the residence located at:

_____,
Oklahoma, on or before the _____ day of _____, 20____, at _____ a.m./p.m.,
and take no action to change utilities or telephone service.

5. The Court should order Law Enforcement Officers to accompany the **Defendant** to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises, and the Court should further order Defendant NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.

6. The Court should order Law Enforcement Officers to accompany the **Petitioner** (i.e. provide a “civil standby”) to the current or recent past residence to remove necessary clothing and personal effects, and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

_____,
Oklahoma.

7. Order Defendant, who is a minor, to leave the residence located at:

_____,
Oklahoma, by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to **10A O.S. §2-2-101(A)**.

Circle Age of Minor Defendant: 13 14 15 16 17

8. There is an existing child visitation order and the Court should suspend or modify child visitation to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody order. **22 O.S. §60.4(I)(1)**.

9. The Defendant should be ordered to obtain domestic abuse counseling or treatment. **22 O.S. §60.4(C)(1) and (E)(1)**.

10. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Petitioner.

11. Pursuant to **22 O.S. §60.17**, Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device pursuant to **22 O.S. §60.17**, and costs of the GPS device and monitoring should be paid by Defendant.

12. Pursuant to **22 O.S. §60.4**, Petitioner requests that billing responsibility and rights to the following household utilities and/or wireless telephone number (and wireless numbers for minor children) be transferred to Petitioner’s name.

Note: A public utility or wireless service provider’s normal requirements for setting up a new account still apply. Petitioner will be responsible for paying the account.

13. Defendant should immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license to _____.

14. The Defendant should be ordered to pay the court costs and service of process fees (pursuant to 22 O.S. §60.2(C)(1), no fees or costs shall be charged to the Petitioner except of the Court finds this Petition has been filed frivolously).

15. The Defendant should be ordered to pay the Petitioner's attorney's fees in the amount of \$_____.

7. WARNINGS TO PETITIONER:

A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. Pursuant to 21 O.S. §§500 and 504, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.

B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff pursuant to 22 O.S. §60.2 (C)(2). It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to 22 O.S. §60.4(H).

8. Sworn Statement/Affirmation of Truth

I state, under penalty of perjury under the laws of Oklahoma (OR PONCA NATION??), that I have read the above and foregoing document, understand the meaning thereof, and declare that the facts and statements contained herein are true to the best of my knowledge and belief.

PETITIONER

Subscribed and sworn to before me this _____ day of _____, 20_____.

Deputy Court Clerk, Judge or Notary

Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

Name of Agency or Agencies (use additional pages if necessary)