

State of Alabama Unified Judicial System Form C-2 (Page 1 of 5) Rev. 2/2005	<b>PETITION FOR PROTECTION FROM ABUSE</b>	Case Number 1234
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IN THE \_\_\_\_\_ District COURT OF \_\_\_\_\_ Houston COUNTY, ALABAMA  
(Circuit or District) (Name of County)

Anna Martin V. Joseph Alan Martin

Plaintiff (your name) Defendant (person to be restrained)  
100 Main St.

Address/ Business or Home  
Tallahassee, FL 32308

City State Zip Code  
01.01.1975

Date of Birth  
123-45-6789

Social Security Number

**YOU MUST PROVIDE COMPLETE AND TRUTHFUL INFORMATION. IF YOU DO NOT, THE COURT MAY DISMISS THIS CASE, AND YOU MAY BE SUBJECT TO BEING CHARGED WITH PERJURY FOR KNOWINGLY PROVIDING FALSE INFORMATION.**

**I. Eligible Plaintiffs (Check all that apply):**  
 A. I am an adult seeking relief for  myself; and/or  my minor child(ren); and/or  another person prevented by physical or mental incapacities from seeking a protection order.

**CHECK AND FILL OUT ONLY ONE SECTION (1, 2, 3, 4, or 5):**

1. The Defendant is my:  spouse; or  former spouse.  
Date of marriage: 5.10.2004 Date of Divorce (if applicable): \_\_\_\_\_

2. The Defendant and I are adults related by:  blood;  marriage; or  adoption.

3. The Defendant and I have lived together.

4. The Defendant and I are currently living in the same household.

5. The Defendant and I are the unmarried parents of a child.

**I am the Plaintiff, and I state that the following is true and correct:**  
 I am a resident of Leon in Florida. My age is: 30 years old.  
 (Name of County) (Name of State)

Are you involved in any other civil case (including divorce or custody) with the Defendant?  YES  NO  
 If YES, please state the County and State in which the case was brought: \_\_\_\_\_ County,  
 \_\_\_\_\_ (State).

Are there any criminal charges against the Defendant because of abuse to you?  YES  NO  
 If YES, the charges were brought in \_\_\_\_\_ County, \_\_\_\_\_ (State).

*(Note: If there are more civil cases with the Defendant or more criminal charges against the Defendant, please attach additional 8" x 11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these cases are being handled).*

Original-Court Record      Copy-Law Enforcement      Copy-Plaintiff      Copy-Defendant

PETITION FOR PROTECTION FROM ABUSE

(Check the box if the following statement applies to you):

I left my home due to abuse or threat of abuse, and I am currently residing in Houston County, Alabama

The Defendant lives in Leon County, Florida (State).

Defendant is 32 years old.

I am requesting (check one of the following boxes):  a protection order; OR  a change in a current protection order.

**II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following**

(Check all that apply):

- Injured me;  Tried to injure me;  Threatened to injure me;
- Made me afraid that I would be seriously injured;  Made me have sex by force or threat of force;  Abused a minor child;  Abused a physically or mentally incapacitated person

**III. Explain the Abuse That Has Happened (Begin With the Most Recent Act. You May Add Additional 8" x 11" Sheets of Paper, If Necessary):**

Date and place where the abuse occurred:

June 28, 2007/ 555 Live Oak St. Dothan, AL

Describe how the Defendant hurt or threatened you and/or (a) person(s) for whom you are applying:

He called on the phone and told me that he was coming to get me and the kids and that if I caused any trouble I would regret it. He said if I didn't leave Dothan with him, I would leave in a box.

I fear the Defendant will cause further abuse because:

He threatened to come after me. I am scared of him. This is the reason I came to Dothan in the first place. I am staying with my cousin.

**IV. Legal Information Required (Check all that apply):**

There is a current restraining or protection order against the Defendant.

YES;  I don't know;  NO. If YES, the County and State where it was issued: \_\_\_\_\_, County, \_\_\_\_\_, State.

The Defendant has a current restraining or protection order against me and/or or the person(s) for whom I am applying:

YES  NO. If YES, the County and State where it was issued: \_\_\_\_\_, County, \_\_\_\_\_, State.

*(Note: If there are more current restraining or protection orders against the Defendant or against you and/or the person(s) for whom you are applying, please attach additional 8"x11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these Orders were issued).*

**PETITION FOR PROTECTION FROM ABUSE**

**V. Child(ren)**

The name(s) and age(s) of any child(ren) of the Defendant and me and/or the person(s) for whom I am applying, who are under 19 years old AND have been living in my household or the household of the person(s) for whom I am applying:

Name: Melissa Martin Age: 4  
Name: John Martin Age: 2 months  
Name: \_\_\_\_\_ Age: \_\_\_\_\_  
Name: \_\_\_\_\_ Age: \_\_\_\_\_

B. Is there a custody order concerning any of the above children?  YES  NO

C. For the last six months, the child(ren) (has) have lived (in what State and with whom):

Child: Melissa Martin Lived with: Joseph and Anna Martin State: Florida  
Child: John Martin Lived with: Joseph and Anna Martin State: Florida  
Child: \_\_\_\_\_ Lived with: \_\_\_\_\_ State: \_\_\_\_\_

**VI. Residence**

**THE DEFENDANT MAY BE REQUIRED TO MOVE FROM THE PLAINTIFF'S RESIDENCE, IF THE RESIDENCE IS IN THE SOLE NAME OF THE PLAINTIFF, IF IT IS JOINTLY OWNED OR RENTED BY THE PLAINTIFF AND THE DEFENDANT, OR IF THE PARTIES ARE MARRIED TO EACH OTHER.**

The place where I (or the person(s) for whom I am applying) live is: Owned by:  me;  the Defendant; or  
 both of us.

Rented by:  me;  the Defendant; or  
 both of us.

The Plaintiff must notify the Court of any change(s) in address.

**VII. Ex Parte Relief Requested (Please Check The Boxes To Show What You Want):**

I am asking the Court for the following for myself and/or the person(s) for whom I am applying

(Note: The word, Plaintiff, is used in the following items to describe you and/or the persons(s) for whom you are applying):

- (1) Enjoin the Defendant from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (2) Further restrain and enjoin the Defendant from harassing, stalking or threatening or engaging in conduct that would place in reasonable fear of bodily injury, the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (3) Further restrain and enjoin the Defendant from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (4) Further restrain and enjoin the Defendant from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or Any designated family or household member, to wit: \_\_\_\_\_

PETITION FOR PROTECTION FROM ABUSE

- (5) Order the Defendant to stay away from: The Plaintiff's  residence  place of employment  school; and/or The Minor(s) and/or Minor Child(ren)'s:  residence  place of employment;  school; and/or  Any specified place, which the Defendant has no legitimate reason to frequent, as designated below, frequented by  the Plaintiff; and/or  the minor(s); and/or  minor child(ren); and/or  any designated family/household member. Name(s) and location(s) of the other specified place(s):  
555 Live Oak St. Dothan, AL
- (6) Award temporary custody of the minor child(ren) to Anna Martin  
(Please specify the name of the person to whom custody should be given)
- (7) Restrain and enjoin the Defendant from interfering with the Plaintiff's efforts to remove the Plaintiff's child(ren) from the  home; and/or  school, and  direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove the Plaintiff's child(ren).
- (8) Restrain and the enjoin the Defendant from removing the minor child(ren) from Anna Martin  
(the individual having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation Order issued by a Court of competent jurisdiction).
- (9) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) Prohibit the Defendant from  transferring;  concealing;  encumbering; or  otherwise disposing of specified property mutually owned or leased by the parties (Please describe property):
- (11) Restrain and enjoin the Defendant from interfering with the Plaintiff's employment.
- (12) Award any other relief deemed necessary to provide for the safety and welfare of the:  Plaintiff; and/or  Minor(s); and/or  Minor children; and/or  Any designated family or household member, as follows:

**VIII. Additional relief requested for final hearing:**

In addition to the relief requested above in, "VII Ex Parte Relief Requested", I request the following relief for myself and/or the person(s) for whom I am applying:

- (13) Order the Defendant to comply with the following visitation arrangements of any minor child(ren):  
 Visitation;  Deny visitation;  Require supervision by a third party-  
(Please specify supervision arrangements below):
- (14) Order the Defendant to pay attorney's fees and Court costs.
- (15) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by:  evicting the Defendant;  restoring possession to the Plaintiff; or  both; or  agreeing to allow the Defendant to provide suitable alternate housing.
- (16) Order the Defendant to pay temporary reasonable child support to the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must Attach COMPLETED copies of Form CS-41, Child Support Obligation Income Statement/Affidavit, FormCS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

PETITION FOR PROTECTION FROM ABUSE

- (17) Order the Defendant to provide temporary possession of the vehicle (description): \_\_\_\_\_ to the Plaintiff because the Plaintiff has no other means of transportation of his or her own and the Defendant  has control of more than one vehicle; or  has alternate means of transportation.
- (18) Incorporate another  custody order (Case Number, County, State: \_\_\_\_\_); or visitation order (Case Number, County, State: \_\_\_\_\_);  support order (Case Number, County, State: \_\_\_\_\_) into this Order.
- (19) Order the Defendant to surrender all firearms.
- (20) Order that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.
- (21) Direct the appropriate law enforcement office to accompany the Plaintiff to:  the residence of the parties; and/or  another location, \_\_\_\_\_ (description of location), as necessary to enforce any of the terms of this Order.
- (22) Order other relief not requested above (describe): \_\_\_\_\_

Before me, the undersigned authority, personally appeared the Plaintiff, who is known to me or presented an identification card to me, and who being duly sworn, deposes and says that he/she has read the foregoing Petition for Protection from Abuse and that the facts herein are true and correct.

Sworn to and subscribed before this, the 30th day of June, 2007.

Anna Martin  
Plaintiff (Please print)  
Anna Martin  
Plaintiff (Signature)

Hon. Prudence Juris  
Judge/Clerk of Court/Notary Public  
(Notary: my commission expires \_\_\_\_\_).

1000 Courthouse Square  
Dothan, AL

555-555-5555  
Business Address and Telephone Number of Judge/Clerk of Court/Notary Public

# Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

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Rev. 6/07

Case No. 1234

In the  Circuit or  District Court of  
Houston County, ALABAMA

Amended Order

## PLAINTIFF

<span style="border: 1px solid black; padding: 2px;">Anna Jean Martin</span>		
First	Middle	Last
and any minor(s) or minor child(ren) on whose behalf the Petition for Protection from Abuse was filed [List Name(s) and DOB(s)]		
<u>Melissa Martin 03.01.2003</u>		
<u>John Martin 04.01.2007</u>		

## PLAINTIFF

<span style="border: 1px solid black; padding: 2px;">01.01.1977</span>
Date of Birth (DOB) of Plaintiff
Other Protected Persons(s) [List Name(s) and DOB(s)]:

V.

## DEFENDANT

<span style="border: 1px solid black; padding: 2px;">Joseph Alan Martin</span>		
First	Middle	Last
Relationship to Plaintiff: <input checked="" type="checkbox"/> Spouse <input type="checkbox"/> Ex-Spouse <input type="checkbox"/> Child		
<input type="checkbox"/> Parent <input type="checkbox"/> Relation within 6 <sup>th</sup> Degree Consanguinity or Affinity		
<input type="checkbox"/> Common Law Marriage <input type="checkbox"/> Child in Common		
<input type="checkbox"/> Present or Former Household Member		
Defendant's Home Address & Telephone #: <u>100 Main St.</u>		
<u>Tallahassee, FL 32308/850-123-4567</u>		

## DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
M	W	01.01.1975	6'	200
EYES	HAIR	DISTINGUISHING FEATURES		
BRWN	BRWN	Tatoos on his back and left shoulder		
DRIVERS LICENSE #		STATE	EXP DATE	
Do Not Know		FL	N/A	
VEHICLE		TAG#		
Ford Ranger		Do Not Know		

CAUTION: WEAPONS INVOLVED:  Firearm  Knife  Hands, Feet, Fist  Other: \_\_\_\_\_  
 Weapon Present on the Property

## THE COURT HEREBY FINDS :

That it has jurisdiction over the parties and subject matter, and the Defendant has been provided with reasonable notice and opportunity to be heard. Additional findings of this Court follow on succeeding pages.

## THE COURT HEREBY ORDERS (Check all that apply):

- That the above-named Defendant be restrained from committing further acts of abuse or threats of abuse as defined in the Protection from Abuse Act.
- That the above-named Defendant be restrained from any contact with the  Plaintiff, and/or  Minor(s): and/ or  Minor Child(ren): and/or  Any designated household or family member, to wit : \_\_\_\_\_  
Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until  January 1, 2008; or  further order of the Court.

## NOTICE TO LAW ENFORCEMENT

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any state, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265).

## WARNINGS TO DEFENDANT :

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any State, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A willful violation of this Order is a Class A misdemeanor, which is punishable by a fine not to exceed six thousand dollars (\$6,000) or imprisonment for up to a year in jail, or both, and is also punishable for civil contempt (Section 30-5-8, Ala. Code 1975). In addition, Sections 30-5-9 and 30-5A-3(c)(2), Ala. Code 1975, further outline penalties for violations of protection, restraining, or injunctive orders.

ONLY THE COURT CAN CHANGE THIS ORDER

# Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

Case No.

In the  Circuit or  District Court of \_\_\_\_\_  
County, ALABAMA

Amended Order

## FINDINGS OF THE COURT (Continued from Page One) (Check all that apply):

After a hearing was held in which the Defendant:  appeared {  pro se or  with counsel } or  did not appear, the Court finds that the Plaintiff proved the allegations of abuse by a preponderance of evidence and further finds that:

- Service was perfected on the Defendant on 7.3.2007 (date).  
 The Defendant represents a credible threat to the physical safety of the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_

## THE COURT FURTHER ORDERS THAT (Check all that apply):

- (1) The Defendant is enjoined from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (2) The Defendant is further restrained and enjoined from harassing, stalking, or threatening, or engaging in conduct that would place in reasonable fear of bodily injury, the  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (3) The Defendant is further restrained and enjoined from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (4) The Defendant is further restrained and enjoined from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (5) The Defendant is ordered to stay away from: the Plaintiff's  residence;  place of employment;  school; and/or the Minor'(s) or Minor child(ren)'s:  residence;  place of employment;  school; and/or  Any specified place, as designated below which the Defendant has no legitimate reason to frequent, frequented by:  the Plaintiff;  the minor'(s); and/or  Minor child(ren); and/or  any designated family/household member. Name(s) and location(s) of the other specified place(s): 555 Live Oak St. Dothan, AL
- (6) Temporary custody of the minor child(ren) of the parties is hereby granted to: Anna Martin
- (7) The Defendant is restrained and enjoined from interfering with the Plaintiff's efforts to remove the Plaintiff's minor child(ren) from the  home; or  school.
- (8) The Defendant is restrained and enjoined from removing the minor child(ren) from the individual, to wit: Anna Martin, having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction.
- (9) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) The Defendant is restrained and enjoined from:  transferring;  concealing;  encumbering; or  otherwise disposing of specified property mutually owned or leased by the parties, as follows: \_\_\_\_\_
- (11) The Defendant is restrained and enjoined from interfering with the Plaintiff's employment.
- (12) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, as follows: \_\_\_\_\_

# Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

Case No. 1234

In the  Circuit or  District Court of  
Houston County, ALABAMA

Amended Order

- (13) The Defendant is ordered to comply with the following visitation arrangements of any minor child(ren) [These arrangements should be given on a basis that gives primary consideration to the safety of the Plaintiff and/or the minor child(ren), or both, and require supervision by a third party or denies visitation if necessary to protect the safety of the Plaintiff and/or minor child(ren)]:  
\_\_\_\_\_
- (14) The Defendant is ordered to pay attorney's fees in the amount of \$ \_\_\_\_\_ and court costs.
- (15) The Defendant is ordered to support the Plaintiff and/or minor child(ren) living in the residence or household when the Defendant is the sole owner or lessee. The Plaintiff is granted possession of the residence or household to the exclusion of the Defendant by  evicting the Defendant;  restoring possession to the Plaintiff; or  both; or  by consent agreement allowing the Defendant to provide suitable alternate housing.
- (16) The Defendant is ordered to pay temporary reasonable support in the amount of \$ \_\_\_\_\_ to the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, when the Defendant has a legal obligation to support these persons. The amount of temporary support awarded shall be in accordance with the Child Support Guidelines, Rule 32, Alabama Rules of Judicial Administration, as calculated on Form CS-42, unless a different amount is set by this Court.
- (17) The Defendant is ordered to provide temporary possession of the vehicle (description) \_\_\_\_\_ to the Plaintiff, since the Plaintiff has no other means of transportation of his or her own and the Defendant either has control of more than one vehicle or has alternate means of transportation.
- (18) The following previous court orders are incorporated (all or in-part) into this Order.  
 Custody Order \_\_\_\_\_ (case#)  Visitation Order \_\_\_\_\_ (case#)  Support Order \_\_\_\_\_ (case #).
- (19) The Defendant is ordered to surrender all firearms to \_\_\_\_\_ (law enforcement agency). Any law enforcement officer is hereby authorized to remove any weapons known to be possessed by the Defendant if not timely surrendered.
- (20) Granting Plaintiff's request, this Court orders that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence, be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.
- (21) Any law enforcement officer is hereby directed to accompany the Plaintiff to the:  residence of the parties; and /or  another location, \_\_\_\_\_, as necessary to enforce any of the terms of this Order.  
(description of location)
- (22)

July 1, 2007

Date

Hon. Prudence Juris

Judge

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant