

(ATTACHMENT A)

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT,  
IN AND FOR OSCEOLA COUNTY, FLORIDA

A1>Case No.: DR  
Division: \_\_\_\_\_

A2> \_\_\_\_\_,  
Petitioner,

and

A3> \_\_\_\_\_,  
Respondent.

**TEMPORARY INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE**

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter under the laws of Florida.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**NOTICE OF HEARING**

Because this Temporary Injunction for Protection Against Domestic Violence has been issued without prior notice to Respondent, Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on A4> {date} \_\_\_\_\_, at **am/pm**, when the Court will consider whether the Court should issue an Injunction for Protection Against Domestic Violence, which would remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including who should pay the filing fees and costs. The hearing will be before The Honorable {name} **Ronald A. Legendre** {room name/number, location, address, city} **Courtroom C**, **Osceola County Courthouse, 12 S. Vernon St., Kissimmee**, Florida. If Petitioner and/or Respondent do not appear, this temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including the imposition of court costs.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact {name} **Court Administration**, {address} **717 W. Byran Street, Kissimmee, Florida 34741** {telephone} **407-343-2421** within 2 working days of your receipt of this temporary injunction. If you are hearing or voice impaired, call TDD 1-800-955-8771.

**FINDINGS**

The statements made under oath by Petitioner make it appear that section 741.30, Florida Statutes, applies to the parties. It also appears that Petitioner is a victim of domestic violence by Respondent, and/or Petitioner has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic

violence by Respondent, and that irreparable harm and injury will probably occur in the form of violence to Petitioner or persons lawfully with Petitioner unless this injunction is issued without notice.

### TEMPORARY INJUNCTION AND TERMS

**This injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. If a Final Judgment for Protection against Domestic Violence is issued in this cause, this Temporary Injunction shall remain in full force and effect until that Final Judgment of Injunction is served upon the Respondent(s). This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction.**

**Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may subject Respondent to criminal prosecution, including the imposition of a fine, jail, or both, as provided by Florida Statutes. In addition, it is a federal criminal felony offense to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262. The criminal penalty for violating this section is incarceration of up to life imprisonment, depending on the nature of the violation.**

#### ORDERED and ADJUDGED:

- Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who are residing in the same single dwelling unit with Petitioner.
- No Contact.** Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence **A5>** *{list address}* \_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment **A6>** *{list address of current employment}* \_\_\_\_\_  
\_\_\_\_\_ or place where Petitioner attends school **A7>** *{list address of school}* \_\_\_\_\_;  
\_\_\_\_\_ or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: **A8>** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Initial **if** applies; Write N/A **if not** applicable]

**A9>** \_\_\_\_\_ Petitioner and Respondent are employed by the same employer, work at the same physical location, or attend the same school. Accordingly, the following restrictions shall apply: \_\_\_\_\_

A10> \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Firearms.**

[Initial **all** that apply; write N/A **if does not** apply]

A11> \_\_\_\_\_ a. Respondent shall not use or possess a firearm or ammunition.

A12> \_\_\_\_\_ b. Respondent shall surrender any firearms and ammunition in the Respondent's possession to the **Osceola** County Sheriff's Department until further order of the court.

A13> \_\_\_\_\_ c. Other directives relating to firearms and ammunition: A14> \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: RESPONDENT IS ADVISED THAT, IF A PERMANENT INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE IS ISSUED FOLLOWING A HEARING REGARDING THIS MATTER, IN MOST CASES IT WILL BE A VIOLATION OF § 790.233, FLORIDA STATUTES, AND A FIRST DEGREE MISDEMEANOR, FOR RESPONDENT TO HAVE IN HIS OR HER CARE, CUSTODY, POSSESSION OR CONTROL ANY FIREARM OR AMMUNITION. ADDITIONALLY, IT WILL BE A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).**

4. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within ten (10) days of the change. All further papers (excluding the final injunction, if entered without Respondent's being present at the hearing, and pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Fla.Fam.L.R.P., section 741.30, Florida Statutes.

5. **Additional order necessary to protect Petitioner from domestic violence:**

A15> \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME**

[Initial **all** that apply; write N/A **if does not** apply]

A16> \_\_\_\_\_ 1. ( ) Petitioner ( ) Respondent shall have temporary exclusive use and possession of the dwelling located at: A17> \_\_\_\_\_  
\_\_\_\_\_.

A18> \_\_\_\_\_ 2. ( ) Petitioner ( ) Respondent, **in the presence of a law enforcement officer**, may

make a single visit to the premises described in the paragraph above for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the home from which these items are to be retrieved shall accompany

**A18a>** ( ) Petitioner ( ) Respondent to the home and must stand by while he/she takes his/her personal items. The law enforcement agency shall not be responsible for storing or transporting any property. **GOING TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER IS A VIOLATION OF THIS INJUNCTION.**

**A19>** \_\_\_\_\_ 3. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEMPORARY SUPPORT**

**Temporary support, if requested by Petitioner in the Petition for Injunction for Protection Against Domestic Violence, will be addressed by the Court after notice to Respondent and hearing on the matter.**

**TEMPORARY CUSTODY OF MINOR CHILD(REN)**

1. **Jurisdiction.** Jurisdiction to determine custody of any minor child(ren) listed in paragraph 2 below is proper under the Uniform Child Custody Jurisdiction Act (UCCJA).
2. **A20> Temporary Custody of Minor Child(ren).** ( ) Petitioner ( ) Respondent shall have temporary custody of the parties' minor child(ren) listed below:

<b>Name</b>	<b>Birth date</b>
<b>A20a&gt;</b> _____	_____
_____	_____
_____	_____
_____	_____

Law enforcement officers shall use any and all reasonable and necessary force to physically deliver the minor child(ren) listed above to custodial parent. The noncustodial parent shall not take the child(ren) from the custody of custodial parent or any child care provider or other person entrusted by the custodial parent with the care of the child(ren).

[Initial **if** applies; write N/A **if does not** apply]

**A21>** \_\_\_\_\_ Neither party shall remove the minor child(ren) from the State of Florida, which is the jurisdiction of this Court, prior to the hearing on this temporary injunction. Violation of this custody order **may** constitute a felony of the third degree under sections 787.03 and 787.04, Florida Statutes.

3. **Contact with Minor Child(ren).** Unless otherwise provided in paragraph 4 below, the noncustodial parent shall have **no contact** with the parties' minor child(ren) until further order of



assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.

5. **A23**> This case ( ) does ( ) does not involve issues of support, custody, and/or visitation. As such, this injunction **A23a**> ( ) does ( ) does not incorporate pages pertaining to those issues.

**A24** > ORDERED on \_\_\_\_\_.

**A25**> Judge's Name (Please Print): \_\_\_\_\_  
JUDGE

**A26**> Judicial Authorization Code: \_\_\_\_\_  
(Per Administrative Order No. 07-97-10-1, the Judicial Authorization Code will be used in place of the Judge's signature, if supplied by the Emergency Duty Judge. The code acts as the Judge's signature and authorizes the immediate execution and enforcement of the injunction.)

Judge's Final Signature: \_\_\_\_\_  
JUDGE

(All Injunctions using Judicial Authorization Codes will be reviewed and signed by the judge within 96 hours of approval, before being filed with the clerk.)

COPIES TO:

Sheriff of **Osceola** County

Petitioner (or his or her attorney): \_\_\_ by U. S. Mail \_\_\_ by hand delivery

Respondent: \_\_\_ forwarded to sheriff for service

\_\_\_ State Attorney's Office

\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of **Osceola** County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk