

(ATTACHMENT B)

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 REPEAT VIOLENCE

The Petition for Injunction for Protection Against Repeat Violence under section 784.046, 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. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

SECTION I. NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Repeat Violence has been issued without 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 _____ a.m/p.m., when the Court will consider whether the Court should enter an Injunction for Protection Against Repeat Violence, which shall 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**, at {room name/ number, location, address, city} **Courtroom C, Osceola County Courthouse, 12 S. Vernon Street, 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. Bryan 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.

SECTION II. FINDINGS

The statements made under oath by Petitioner make it appear that section 784.046, Florida Statutes, applies to the parties, that Petitioner is a victim of repeat violence and that an immediate and present danger exists to Petitioner or to a member of Petitioner's immediate family.

SECTION III. 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 Repeat 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 party violating this injunction may be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, battery, sexual battery, or stalking.
2. **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 Respondent's possession to the **Osceola** County Sheriff's Department.

A13> _____ c. Other directives relating to firearms and ammunition: **A14>** _____

4. **Additional order(s) necessary to protect Petitioner from repeat violence:**

A15> _____

SECTION IV. OTHER SPECIAL PROVISIONS

(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)

A16>

SECTION V. DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION

1. The Sheriff of **Osceola** County, or any other authorized law enforcement officer, is ordered to serve this temporary injunction upon Respondent as soon as possible after its issuance.

2. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest for any violation of its provisions, which constitutes a criminal act under section 784.047, Florida Statutes.

3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.**

4. If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation or Petitioner may contact the State Attorney's Office for 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.

A17> ORDERED on _____.

A18> Judge's Name (Please Print): _____
JUDGE

A19> 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 ____ by U. S. Mail ____ by hand delivery

Respondent: ____ forwarded to sheriff for service

____ 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