

STALKING

*****PLEASE PRINT ON ALL PAGES*****

A. Petitioner (Fill this information out about you):

Name: _____
 First Middle Last (Maiden if app.)

Does the Respondent know where you live? Yes No
(If NO you may request your address be listed as CONFIDENTIAL)

Permanent Address: _____
(Where you live now) Street Apt # City State Zip Code

Temporary Address: _____
 Street Apt # City State Zip Code

Phone #: () Cell Phone#: ()

Race: Sex: Marital Status: Social Security #: - -

Height: Weight: Eye Color: Hair Color:

▪ Facial Features: (Ex.: Beard, moustache) _____

▪ Scars, Marks, Tattoos: _____

DOB: / / Place of Birth: _____

Aliases: _____ Drivers Lic. #/State: _____

Citizen of: Primary Language: Interpreter Needed: Y/N (Circle One)

Vehicle Information: Make: Model: Year:

Color: Tag: State:

Employment: Please ONLY ONE box or write information requested below.

Petitioner is Unemployed Disabled Retired Self Employed Student
Company: _____ Job Title: _____

How long have you been there: DYS/WKS/MOS/YRS (Circle One)

Supervisor: _____

Address: _____
 Street Suite# City State Zip Code

Work Phone #: () Ext:

List someone who knows where we can locate you:

Name: _____

Relationship: _____ Phone#: () _____

Do you have an Attorney for this case?: Yes No

If yes please list Attorney's name: _____ Phone #: _____

Has there been acts or threats of violence directed towards a Minor Child in your home? yes no
(check only one)

If yes, are you filing for yourself and the minor child or only for the minor child

Name of Minor Child: _____

Please complete the Minor Petitioner information sheet provided by the Intake Specialist.

B. Respondent: Information about the person you are filing against

If information is unknown or not applicable please list as unknown

Name: _____
First Middle Last (Maiden if app.)

* Is the Respondent in this case under the age of 18? _____ YES _____ NO
If yes, please notify the Intake Specialist at the front desk for further instructions

o Permanent Address: _____
Street Apt# City State Zip Code

o Temporary Address: _____
Street Apt# City State Zip Code

Phone Number: (____) _____ Cell Phone: (____) _____

Race: _____ Sex: _____ Marital Status: _____ Social Security #: _____ - _____ - _____

Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

▪ Facial Features: _____
(Example: Beard, Mustache, etc)

▪ Scars, Marks, Tattoos, etc: _____

DOB: ____ / ____ / ____ Place of Birth: _____

Aliases: _____ Drivers Lic. #/State: _____

Citizen of: _____ Primary Language: _____

Interpreter Needed? Y/N (Circle One)

Vehicle Information: Make: _____ Model: _____ Year: _____

Color: _____ Tag: _____ State: _____

Employment: Please ✓ ONLY ONE box or write information requested below.

Respondent is Unemployed Disabled Retired Self Employed
 Respondent's work is Unknown to me Student

Company: _____ Job Title: _____

How long has the respondent worked there: _____ DYS/WKS/MOS/YRS(Circle One)

Supervisor: _____

Address: _____
Street Suite# City State Zip Code

Work Phone # (____) _____ Ext: _____

o Does the Respondent work in : 1) an office or 2) in the field (Circle One)

C. Service Information: Information to Assist Law Enforcement with Service

****If information is unknown or not applicable, please list as unknown****

List someone who can serve as a contact for the Respondent:

Name: _____ Relationship: _____

Phone: (____) _____

What is the best time to serve the Respondent? _____

Where is the best place to serve the Respondent? _____

Is the Respondent presently incarcerated? Yes No

Location of the Jail: _____

Has the Respondent been arrested in the past? Yes No

Please write in the charge (if known) for the arrest, date, and location of:

Does the respondent have firearms? _____

Carry on person? _____ Access to? _____

What kind of firearms? _____

Where are they kept? _____

Has the Respondent threatened to harm himself or herself? Yes No

Has the Respondent threatened to harm a law enforcement officer? Yes No

Does the Respondent have a drug or alcohol problem? Yes No

Does the Respondent easily get agitated or excited? Yes No

D. Relationship

▪ How long have you known the Respondent? _____ Month _____ Day _____ Year

▪ Do you and the Respondent work together? _____ Yes _____ No

➤ Are there any additional addresses you would like to list as part of the injunction?:

(Ex.: daycare, second job, schools, workplace of minor, etc)

The other person will get a copy of everything you write in the petition. You may contact a victim advocate and create a safety plan.

E. Allegations

(Mark all sections that apply and describe in the spaces below the incidents of stalking specifying when and where they occurred, including but not limited to, locations such as a home, school, or place of employment.)

- a. ___ committed stalking.
- b. ___ previously threatened, harassed, stalked, cyberstalked, or physically abused the petitioner.
- c. ___ threatened to harm the petitioner or family members or individuals closely associated with the petitioner.
- d. ___ intentionally injured or killed a family pet.
- e. ___ used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- f. ___ a criminal history involving violence or the threat of violence (if known).
- g. ___ another order of protection issued against him or her previously or from another jurisdiction (if known).
- h. ___ destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.

The incident (including date and location is described below:

On (date): _____ At (Location): _____

DO NOT WRITE ON THE BACK OF PAGE

Has any of these incidents been reported to any agencies: Example: (LCSO, FMPD, DCF)
___ Yes ___ No If yes, name the agency: _____



F. Please circle below if you are interested in information on the following:

- | | | | |
|---------------------|--------------------|-------------------|----------------|
| Child/Teen Services | Food Assistance | Mental Health | Support Groups |
| Domestic Violence | Housing Assistance | Medical Resources | |
| Employment | Immigration | Parenting Classes | |
| Financial Services | Legal Services | Substance Abuse | |

G. Related Cases: A case is related when:(A) it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; or (B) it affects that court's jurisdiction to proceed;(C) an order in the related case may conflict with an order on the same issues in the new case; or (D) an order in the new case may conflict with an order in the earlier litigation.

(2) "Family cases" include divorce, annulment, support unconnected with divorce, paternity, child support, UIFSA, custodial care of and access to children, adoption, name change, declaratory judgment actions related to premarital, marital, or post marital agreements, civil domestic, repeat violence, dating violence, and sexual violence injunctions, juvenile dependency, termination of parental rights, juvenile delinquency, emancipation of a minor, CIN/FINS, truancy, and modification and enforcement of orders entered in these cases.

___ There are not related Cases. (Please continue on to the next page)

___ The following are related cases (please ask for additional pages if necessary)

Related Case No. 1

Case Name _____ vs. _____

Petitioner _____ Respondent _____

Case No.: _____ Division _____

Type of Case: (i.e. Divorce, Paternity, Criminal) _____

State Case was filed in _____, County Case was filed in _____

Last order issued in this case: (i.e. Final Judgment, Standing Order)

_____ Date of Order _____

Related Case No. 2

Case Name _____ vs. _____

Petitioner _____ Respondent _____

Case No.: _____ Division _____

Type of Case: (i.e. Divorce, Paternity, Criminal) _____

State Case was filed in _____, County Case was filed in _____

Last order issued in this case: (i.e. Final Judgment, Standing Order)

_____ Date of Order _____

Related Case No. 3

Case Name _____ vs. _____

Petitioner _____ Respondent _____

Case No.: _____ Division _____

Type of Case: (i.e. Divorce, Paternity, Criminal) _____

State Case was filed in _____, County Case was filed in _____

Last order issued in this case: (i.e. Final Judgment, Standing Order)

_____ Date of Order _____

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY FLORIDA**

NOTICE OF LIMITATION OF SERVICE PROVIDED

(English)

The personnel in the Domestic Violence Division, a self-help program, are not acting as your lawyer or providing legal advice to you.

Self-help personnel are not acting on behalf of the court or any Judge. The presiding Judge in your case may require amendment of a form or substitution of a different form.

The Judge is not required to grant the relief requested in a form.

The personnel in this self-help program cannot tell you what your legal rights or remedies are, represent you in court, or tell you how to testify in court. Self-help services are available to all persons who are or will be parties to a civil case. The information that you give to and receive from self-help personnel is not confidential and may be subject to disclosure at a later date. If another person involved in your case seeks assistance from this self-help program, that person will be given the same type of assistance that you receive.

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues.

___ I can read English.

___ I cannot read English. This notice was read to me by _____ in {LANGUAGE}

SIGNATURE

DATE

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY FLORIDA**

AVISO DE LIMITACION DEL SERVICIO PROPORCIONADO

(Spanish)

El personal en este programa de ayuda propia no esta actuando como su abogado ni le esta dando consejo legales. El personal no representa ni la corte ni ningun juez. El juez asignado a su caso puede requerir un cambio de esta forma o una forma diferente. El juez no esta obligado a conceder la reparacion que usted pide en esta forma.

El personal de este programa de ayuda propia no le puede decir cuales son sus derechos ni soluciones legales, no puede representarlo en corte, ni decirle como testificar en corte. Servicios de ayuda propia están disponibles a todas las personas que son o serán partes de un caso familiar. La información que usted da y recibe de este personal no es confidencial y puede ser descubierta mas adelante. Si otra persona envuelta en su caso pide ayuda de este programa, ellos recibiran el mismo tipo de asistencia que usted recibe.

En todos los casos, es mejor consultar con su propio abogado, especialmente si su caso trata de temas respecto a niños, mantenimiento economico de niños, manutencion matrimonial, retiro o beneficios de pension, activos u obligaciones.

___ Yo puedo leer español.

___ Yo no puedo leer español. Este aviso fue leído a mi por _____ En {IDIOMA}

FIRMA

FECHA

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,

And

Respondent.

Petitioner's Waiver or Non-Waiver of Return Hearing

I, _____, the Petitioner in this case, have filed a Petition for Protection Against Injunction. I understand that, after reviewing the Petition, the court will do one of the following:

- a. Issue a temporary injunction and set the case for hearing with notice to the Respondent.
- or*
- b. Not issue a temporary injunction and set the case for hearing only with notice to the Respondent
- or*
- c. Deny the temporary injunction and not set the case for hearing

Petitioner please initial either Paragraph A or B below:

_____ A. If the court does not issue a temporary injunction for protection, I request that a hearing be set. I understand that notice of the hearing and copy of the Petition for Injunction will be provided to the Respondent.

_____ B. If the court does not issue a temporary injunction for protection, I do NOT want a hearing to be scheduled. I do NOT want the Respondent to be served with a notice of hearing or a copy of the Petition for Injunction without a temporary injunction for protection in place. I waive my right under F. S. § 741.30(5)(b) to have this case set for hearing. I further understand that nothing in this form affects my right to amend my petition. I have signed this waiver freely and voluntarily.

Petitioner

Date: July 27, 2020

STATE OF FLORIDA
COUNTY OF LEE

Sworn to or affirmed and signed before me on _____ by
_____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

_____ Personally known

_____ Produced identification, _____ (type of identification produced)

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,
and

Respondent.

PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING

I, _____, being sworn, certify that the following statements are true:

SECTION I. PETITIONER

(This section is about you. It must be completed; **however, if you require that your address be confidential for safety reasons**, you should complete and file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), and write confidential in the space provided on this form for your address and telephone number.)

1. Petitioner resides at the following address:
 Petitioner seeks an injunction for protection on behalf of a minor child.
Petitioner is the parent or legal guardian of a minor child who is living at home.
2. Petitioner's attorney's name, address, and telephone number is:
None
(If you do not have an attorney, write "none.")

SECTION II. RESPONDENT

(This section is about the person you want to be protected from. It must be completed.)

1. Respondent resides at the following address:
2. Respondent's last known place of employment:
Employment address:
Working hours:
3. Physical description of Respondent:
Race: Sex:
Date of Birth:
Height: Weight:
Eye Color: Hair Color:
Distinguishing marks and/or scars:
Vehicle: (make/model) /
Color: Tag Number:

4. Other names Respondent goes by (aliases or nicknames): *Unknown*
5. Respondent's attorney's name, address, and telephone number is:
Unknown
(If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION
(This section must be completed.)

1. Has Petitioner ever received or tried to get an Injunction for protection against stalking against Respondent in this or any other court?
 Yes No If yes, what happened in that case? (include case number, if known)
2. Has Respondent ever received or tried to get an injunction for protection against stalking against Petitioner in this or any other court?
 Yes No If yes, what happened in that case? (Include case number, if known.)
3. Describe any other court case that is either going on now or that happened in the past **between Petitioner and Respondent** (Include case number if known):
N/A
4. Petitioner is a victim of stalking because Respondent has: {mark all sections that apply}.
- a. Committed stalking;
 - b. Previously threatened, harassed, stalked, cyberstalked, or physically abused the Petitioner;
 - c. Threatened to harm the petitioner or family members or individuals closely associated with the Petitioner;
 - d. Intentionally injured or killed a family pet;
 - e. Used, or threatened to use, against the Petitioner any weapons such as guns or knives;
 - f. A criminal history involving violence or the threat of violence, if known;
 - g. Another order of protection issued against him or her previously or from another jurisdiction, if known;
 - h. Destroyed personal property, including but not limited to, telephones or other communication equipment, clothing, or other items belonging to the Petitioner.
5. Below is a description of the specific incidents of stalking or cyberstalking: {for cyberstalking, please include a description of all evidence of contacts and/or threats made by Respondent in voice messages, texts, emails, or other electronic communication}.

On, the following incidents of stalking occurred at the following locations: the locations may include, but need not be limited to, a home, school, or place of employment,

Please indicate if you are attaching additional pages to continue these facts.

6. **Additional Information**

____ Respondent owns, has, and/or is known to have guns or other weapons.
Describe weapons(s) and where they may be located, if known:

SECTION IV. INJUNCTION *(This section must be completed.)*

1. Petitioner asks the Court to enter a **TEMPORARY INJUNCTION** for protection against stalking that will be placed from now until the scheduled hearing in this matter, which will immediately restrain Respondent from committing any acts of stalking, and which will provide any terms the Court deems necessary for the protection of a victim of stalking, including any injunctions or directives to law enforcement agencies.

2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a **FINAL JUDGEMENT** for protection against stalking prohibiting an Respondent from committing any acts of stalking against Petitioner **and**:
 - a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;
:
or any specified place regularly frequented by Petitioner and any named family members or individuals closely associated with Petitioner;

 - b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is:
Not Indicated .
 - c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;
 - d. ordering Respondent that he or she shall not have in his or her care, custody, or possession, or control any firearm or ammunition;
 - e. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied.

3. Petitioner asks the Court to enter any other terms it deems necessary to protect Petitioner from stalking by Respondent.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Dated:

Signature of Petitioner

Printed Name: _____.

Address: _____

City, State, Zip: _____,

Telephone Number: _____

Fax Number: _____

STATE OF FLORIDA
COUNTY OF LEE

Sworn to or affirmed and signed before me on _____ by _____

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of
notary or clerk.]

_____ Personally known

_____ Produced identification

_____ Type of identification produced

Respondent Information Sheet - Domestic Violence Division

Case number # _____

Respondent's Information	
Respondent's Name: _____	Nicknames / Alias: _____
<input type="checkbox"/> Male <input type="checkbox"/> Female DOB: _____	Approx. Age: _____ Language: _____
SSN: _____	Driver's License #: _____
Primary Phone #: _____	Cell Phone #: _____
Home Address & Apt #: _____	Subdivision: _____
Place of Employment: _____	Work #: <u>N/A</u>
Employer's Address: _____	Location: <input type="checkbox"/> Office <input type="checkbox"/> Field
In Custody: <input type="checkbox"/> Yes <input type="checkbox"/> No Relation: _____	

Physical Description

Race: _____ Height: _____ Weight: _____
Hair Color: _____ Eye Color: _____
Tattoo(s): Yes No
If yes, give a brief description & Location: _____

Respondent's Vehicle Description			
Year: _____	Make: _____	Model: _____	Color: _____
Tag #: <u>Not Available</u>			

Additional Information

List any dog(s), weapon(s), criminal history, drug/alcohol abuse about respondent:
If Respondent cannot be located at home or place of employment, please provide additional location(s) for service such as; Relatives, Friends or Hangout:
Location: Not Available
Address: , ,

Petitioner's Information	
Petitioner's Name: _____	DOB: _____
Physical Address: _____	Primary Phone #: _____
Work Address: _____	Cell Phone #: _____
	Work Phone #: _____
Secondary Contact: _____	Relation: _____ Phone #: _____

To my knowledge, I have supplied all pertinent information contained in this document. I understand that this information will be provided to the service law enforcement agency to assist with personal service upon the Respondent.

X _____
Petitioner's Signature

Date: _____

**IN THE CIRCUIT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA**

CASE NO.

Petitioner

And

Respondent

NOTICE OF LIMITATION OF SERVICE PROVIDED

The personnel in the Domestic Violence Division, a self-help program, are not acting as your lawyer or providing legal advice to you .

Self-Help personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of a form or substitution of a different form .

The personnel in this self-help program cannot tell you what your legal rights are, or remedies are or represent you in court or tell you how to testify in court .

Self-Help services are available to all persons who are or will be parties to a family case .

The information that you give and receive from self-help personnel is not confidential and may be subject to disclosure at a later date. (Please Note: Information concerning Confidential Addresses cannot be disclosed by self-help personnel as required by Florida Law).

If another person involved in your case seeks assistance from the self-help program, that person will be given the same type of assistance that you receive .

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits, assets or liabilities .

_____ **I CAN READ ENGLISH**

_____ **I CANNOT READ ENGLISH. THIS NOTICE WAS READ TO ME BY**

(NAME) _____ IN (LANGUAGE) _____

Signature of Date

Signature of Date

Print Name of

Print Name of

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,

and

Respondent.

REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, _____, Petitioner in the above Injunction for protection against domestic violence action, request that the Court maintain and hold as confidential, the following address:

This request is being made for the purpose of keeping the location of my residence unknown to Respondent for safety reasons pursuant to section 119.071(2)(j)1, Florida Statutes.

Dated: _____

Signature of Petitioner

**CLERK'S CERTIFICATE AS TO PETITIONER'S REQUEST FOR
CONFIDENTIAL FILING OF ADDRESS**

I, Linda Doggett, as Clerk of the Circuit Court, do hereby certify that I received and filed the above and will keep the above address confidential, subsequent to further order of the Court relative to such confidentiality.

LINDA DOGGETT, CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

CONFIDENTIAL DOCUMENT

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA**

Case number:

Out of County Service Information

The Respondent, _____, in my case can be personally served the Injunction for Protection in another County (other than Lee County, Florida) or can be personally served in another State. The following information is being provided to the Courts so that the Injunction for Protection service packet can be forwarded to the serving agency and service can be completed upon the Respondent:

(Name of the Sheriff's Office or Police Department)

ATTN: _____

(Physical or Mailing Address)

(City)

(State)

(Zip Code)

(_____) _____ - _____
(Telephone Number including the area code)

I understand that if there is a change in the information listed above or if there is a change in location for the Respondent, and he or she has not been served with the Injunction for Protection, that I am responsible for written notification to the courts of any changes.

I also understand that I am responsible for providing written information to the courts on where the service packet shall be sent based upon a change of address that is located outside of Lee County, Florida, so that service may be completed upon the Respondent.

To the best of my knowledge the serving agency listed above is the proper agency to obtain personal service upon the Respondent.

Sworn to or affirmed before me on this ____ day of _____, 20____, by

Signature

Notary Public

[Print, type or stamp commissioned name of notary]

Personally Known

Produced Identification

Type of identification produced _____

***Note: The Sheriff's Office above:**

Charges a fee of \$_____ for service

Does not charge a fee for service

**Domestic Violence Unit
Lee County Justice Center
1700 Monroe St., Room 1209A
Ft. Myers, Fl 33901**

To Whom It May Concern:

In RE: *Service of an Injunction for Protection*

Case Number:

Respondent:

Enclosed is an Injunction for Protection service packet. It is being forwarded to you because the Petitioner in the case has brought to our attention that the Respondent is located in your area. To assist you with completing personal service upon the Respondent, we are providing a "Description Sheet" with information about _____. The description sheet does not need to be served upon the Respondent and should be returned to this agency along with written information about whether service was perfected.

When personal service has been completed, please immediately notify the Lee County Sheriff's Office at the address listed below. Please return the affidavit of service before the hearing date on _____.

Thank you in advance for your assistance with this matter. If you have any questions, please feel free to contact a Domestic Violence staff member at (239) 533-2884.

Please mail return of service to:

Lee County Sheriff's Office
Attn: Warrant's Unit
14750 Six Mile Cypress Pkwy.
Fort Myers, Fl. 33912
Phone: (239) 477-1269
Fax: (239) 477-1272

Linda Doggett, Clerk of Court

By: _____
Deputy Clerk

Please note: Florida law requires a law enforcement officer to personally serve a Respondent with a certified copy of the Court's order, Petition, and any other related paperwork in an Injunction for Protection case. A process server may not be used in substitution for a law enforcement officer when actuating service.

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,

And

Respondent.

TEMPORARY INJUNCTION FOR PROTECTION AGAINST STALKING

The Petition for Injunction for Protection Against Stalking under section 784.0485, Florida Statutes, and other papers filed in this Court have been reviewed. Under the laws of Florida, the Court has jurisdiction of the Petitioner and the subject matter, and has jurisdiction of the Respondent upon service of the temporary injunction. The term Petitioner as used in this injunction includes the person on whose behalf this injunction is entered.

It is intended that this protection order meet the requirements of 18 U.S.C. Section 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.

SECTION I. NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Stalking 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 _____ at _____, when the Court will consider whether it should issue a Final Judgment of Injunction for Protection Against Stalking, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered. The hearing will be before The **Honorable _____ at Courtroom 5-D, 1700 Monroe Street, Fort Myers, 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 entry of a permanent injunction and the imposition of court costs. All witnesses and evidence, if any, must be presented at this time. **Petitioner and Respondent will be bound by the terms of any injunction or order issued at the final hearing.**

IF EITHER PETITIONER OR RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, HE OR SHE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- _____ a. a court reporter is provided by the court.
- _____ b. electronic recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

AMERICANS WITH DISABILITIES ACT

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 Brooke Dean, Operations Division Manager whose office is located at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is (239)533-1771, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before your scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

SECTION II. FINDINGS

The statements made under oath by Petitioner make it appear that Section 784.0485, Florida Statutes, applies to the parties, and that stalking exists.

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 order of Injunction is issued, the terms of the temporary Injunction will be extended until service of the final Injunction is effected upon Respondent. 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.

Willful violation of the terms of this Injunction: committing an act of stalking against Petitioner; going to or being within 500 feet of Petitioner's residence, place of employment, school, or other place prohibited in this injunction; knowingly and intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied; committing any other violation of this injunction through an intentional unlawful threat, word or act to do violence to Petitioner; telephoning, contacting or communicating with Petitioner, unless indirect contact through a third party is specifically allowed by this injunction; defacing or destroying Petitioner's personal property, including Petitioner's motor vehicle; or refusing to surrender firearms or ammunition if ordered to so by the Court, constitutes a misdemeanor of the first degree punishable as provided by sections 775.082 and 775.083, Florida Statutes.

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. **Prohibited Actions.** Respondent shall not commit, or cause any other person to commit, any other acts of stalking against Petitioner, including stalking, cyberstalking, aggravated stalking, or any criminal offense resulting in physical injury or death. Respondent shall not commit any other violation of this injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with Petitioner unless otherwise provided in this section.**
 - a. 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 including any electronic means or use of social media. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner employment or school to inquire about Petitioner or to send any message to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:**
 - b. Petitioner's current residence: , ,
or any residence to which Petitioner may move;
 - c. Petitioner's current or any subsequent place of employment: , ,
 - d. where Petitioner attends school: ; or
 - e. the following other places (if requested by Petitioner) where Petitioner, specific members of Petitioner's family, or individuals closely associated with Petitioner, regularly frequent:
 - f. Respondent **shall not** knowingly and intentionally come within 100 feet of Petitioner's motor vehicle at any time, whether or not that vehicle is occupied;

g. Other provisions regarding contact:

3. **Firearms.**

{Initial all that apply; write N/A if not applicable}

NA a. Respondent is a state or local officer, as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency, and is not prohibited by the court from having in his or her care, possession, or control any firearm or ammunition.

X b. Respondent shall not use or possess a firearm or ammunition.

X c. Respondent shall surrender any firearms and ammunition in Respondent's possession to the **Lee County Sheriff's Department, 10070 INTERCOM DRIVE, FORT MYERS, FLORIDA 33913.**

X d. Other directives relating to firearms and ammunition:
The Respondent must provide a firearms receipt or a sworn affidavit to the Domestic Violence Division: Lee County Courthouse, 3rd Floor, 1700 Monroe Street, Fort Myers, Florida 33901, ***within 24 hours*** of being served with this order.

4. **Mailing Address or Designated E-Mail Address(es).** *Respondent & Petitioner shall notify the Clerk of the Court of any change in either his or her mailing address or designated e-mail address(es) within 10 days of the change.* All further papers (excluding pleadings requiring personal service) shall be served either by mail to Respondent's last known mailing address or by e-mail to Respondent's designated e-mail address(es). Service shall be complete upon mailing or e-mailing.

5. **Additional order(s) necessary to protect Petitioner from stalking:**

6. **Referral to Appropriate Services for Petitioner:**
Petitioner may contact the following services as needed:

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.}

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

{Unless ordered otherwise by the judge, all provisions in this injunction are considered mandatory provisions and should be interpreted as part of this injunction.}

1. The Sheriff of Lee 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 and enforceable 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 without a warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, which constitutes a criminal act under section 784.047, Florida Statutes.
3. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.** The arresting agency shall notify the State Attorney's Office immediately after arrest.
4. **Reporting alleged violations.** If Respondent violates the terms of this Injunction and has not been arrested, Petitioner may contact the clerk of the circuit court of the county in which the violation is alleged to have occurred. The clerk shall assist Petitioner in preparing an affidavit in support of reporting the violation or direct Petitioner to the office operated by the court that has been designated by the chief judge of that circuit as the central intake point for violations of injunctions for protection where Petitioner can receive assistance in the preparation of the affidavit in support of the violation. The affidavit shall be immediately forwarded by the office assisting Petitioner to the state attorney of that circuit and to the judge designated by the chief judge as the recipient of affidavits of violations of an injunction. Procedures relating to reporting alleged violations are governed by section 784.0487, Florida Statutes.

DONE AND ORDERED in Lee County, Florida, on this ____ day _____.

CIRCUIT JUDGE

COPIES TO:

Sheriff of Lee County

Petitioner (or his or her attorney):

- by U. S. Mail
- by hand delivery in open court
- by e-mail to designated e-mail address(es)

Respondent:

- forwarded to sheriff for service
- State Attorney's Office
- Other: _____

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

LINDA DOGGETT, CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
{Deputy Clerk or Judicial Assistant}

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,
vs.

Respondent.
_____ /

**RETURN OF SERVICE
TEMPORARY INJUNCTION FOR PROTECTION AGAINST STALKING**

- Office of Sheriff, for Lee County, Florida*
- Other: _____, County, State _____*

Served Not Served for hearing date on _____, at _____.

*Received on the _____ day of _____, 20____, at _____ M,
executed the same on the _____ day of _____, 20____, at
_____ M, by personal service to _____.*

Comments: _____

ATTEMPT #1 _____
ATTEMPT #2 _____
ATTEMPT #3 _____

Signed: _____, Deputy ID # _____

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,

vs.

Respondent.

AFFIDAVIT ON POSSESSION OF FIREARMS AND/OR AMMUNITION

I, _____, swear or affirm that the following statement is true and correct:

Initial

No, I do not own or possess any firearm(s)/ammunition.

Initial

Yes, I do own or possess firearm(s)/ammunition and I will surrender them to law enforcement and provide firearm's receipt to the Domestic Violence Division (239-533-2884) within 24 hours.

Initial

Pursuant to Fla. Statute 790.401, I attest and confirm that I have complied with the Risk Protection Order and have surrendered any and all firearms and/or ammunition under my ownership along with any firearms, ammunition and/or concealed weapons license in my custody, control or possession.

Signature: _____

Address: _____

City, State, Zip: _____

Sworn to and subscribed before me this _____, day of _____, 20_____

by _____.

Type of Identification Produced: _____

By: _____

Notary Public or Sheriff ID# _____

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,
and

Respondent.

**ORDER SETTING HEARING ON PETITION FOR INJUNCTION
FOR PROTECTION AGAINST STALKING
WITHOUT ISSUANCE OF AN INTERIM TEMPORARY INJUNCTION**

A Petition for Injunction for Protection Against: Domestic Violence filed under section 741.30, Florida Statutes; Repeat, Dating, or Sexual Violence filed under section 784.046, Florida Statutes; or Stalking filed under section 784.0485, Florida Statutes, has been reviewed. This Court has jurisdiction of the parties and of the subject matter. Upon review of the Petition, this Court concludes that a Temporary Injunction for Protection Against Domestic Violence; Repeat, Dating, or Sexual Violence; or Stalking, pending the hearing scheduled below, **NOT** be entered at this time but that an injunction may be entered after the hearing, depending on the findings made by the Court at that time.

FINDINGS

The Court finds that based upon the facts, as stated in the Petition alone and without a hearing on the matter, there is no appearance of an immediate and danger of becoming a victim of domestic violence; repeat, dating or sexual violence, or stalking, or that stalking exists. Therefore, there is not a sufficient factual basis upon which the court can enter a Temporary Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking, prior to a hearing. A hearing is scheduled on the Petition for Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking, in Section II of this Order. Petitioner may amend or supplement the Petition at any time to state further reasons why a Temporary Injunction should be ordered which would be in effect until the hearing scheduled below.

NOTICE OF HEARING

Petitioner and Respondent are ordered to appear and testify at a hearing on the Petition for Injunction for Protection Against Domestic, Repeat, Dating, Sexual Violence, or Stalking on _____ at _____, in **Courtroom** _____, at Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida, before _____.

At that time, the Court will consider whether a Final Judgment of Injunction for Protection Against Domestic, Repeat, Dating, Sexual Violence, or Stalking should be entered. If entered,

the Injunction will remain in effect until a fixed date set by the Court or until modified or dissolved by the Court. At the hearing, the Court will determine whether other things should be ordered, including, for example, such matters as time-sharing and support.

If Petitioner and/or Respondent do not appear, orders may be entered, including entry of a permanent injunction and the imposition of court costs. Petitioner and Respondent will be bound by the same terms of any injunction or order issued at the final hearing.

IF EITHER PETITIONER OR RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, HE OR SHE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

All witnesses and evidence, if any, must be presented at this time. In cases where temporary support issues have been alleged in the pleadings, each party is ordered to bring his or her financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or (c)), tax return, pay stubs, and other evidence of financial income to the hearing.

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- a. _____ a court reporter is provided by the court.
- b. electronic recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.
- a. _____ in repeat, dating, and sexual violence cases, no electronic recording or court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED

AMERICANS WITH DISABILITIES ACT

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 Brooke Dean, Operations Division Manager, whose office is located at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is (239)533-1771, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before your scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Nothing in this order limits Petitioner's rights to dismiss the petition.

DONE AND ORDERED in Lee County, Florida on this ____ day of _____.

CIRCUIT JUDGE

COPIES TO:
Sheriff of Lee County

Petitioner:

- by U. S. Mail
- by hand delivery in open court
- by e-mail to designated e-mail address(es)

Respondent:

- forwarded to sheriff for service
- State Attorney's Office
- Other: _____

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

LINDA DOGGETT,
CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA

Case No.:

Petitioner,

vs.

Respondent.

_____ /

RETURN OF SERVICE
ORDER SETTING HEARING
ON PETITION FOR INJUNCTION

Office of Sheriff, for Lee County, Florida

Other: _____, County, State _____

Served Not Served for hearing date on _____, at _____.

Received on the _____ day of _____, 20____, at _____ M,

executed the same on the _____ day of _____, 20____, at

_____ M, by personal service to _____.

Comments: _____

ATTEMPT #1 _____

ATTEMPT #2 _____

ATTEMPT #3 _____

Signed: _____, Deputy ID # _____

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT,
IN AND FOR LEE COUNTY, FLORIDA**

Case No.:

Petitioner,
and

Respondent.

**ORDER DENYING PETITION FOR INJUNCTION FOR PROTECTION
AGAINST STALKING**

The Court has reviewed the Petition for Injunction for Protection Against Domestic, Repeat, Dating, Sexual Violence, or Stalking filed in this cause and finds that Petitioner has failed to comply with one or more statutory requirements applicable to that petition including the following:

- ___ 1. Petitioner has failed to allege in a petition for domestic violence that Respondent is a family or household member as term is defined in Chapter 741, Florida Statutes.
- ___ 2. Petitioner has used a petition form other than that which is approved by the Court and the form used lacks the statutorily required components.
- ___ 3. Petitioner has failed to complete a mandatory portion of the petition.
- ___ 4. Petitioner has failed to sign the petition.
- ___ 5. Petitioner has failed to allege facts sufficient to support the entry of an Injunction for protection against domestic, repeat, dating, sexual violence, or stalking because: _____

- ___ 6. Other: _____

It is therefore, ORDERED AND ADJUDGED that the Petition is denied without prejudice to amend or supplement the petition to cure the above stated defects.

Done and Ordered in Lee County, Florida on this ____ day of _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner:

- by hand delivery in open Court
- by U.S. mail
- by e-mail to designated e-mail address(es)

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

LINDA DOGGETT, CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk