

TEMPORARY PROTECTION	IN THE COURT OF COMMON PLEAS
FROM ABUSE ORDER	OF CLINTON COUNTY, PENNSYLVANIA
<input type="checkbox"/> Amended Order <input type="checkbox"/> Continued Order	NO. _____

PLAINTIFF

First _____ Middle _____ Last _____	Plaintiff's DOB _____

Name(s) of all protected persons, including minor child/ren and DOB:

V.

DEFENDANT

First _____	Middle _____	Last _____	Suffix _____

Defendant's Address:

DEFENDANT IDENTIFIERS

DOB		HEIGHT	
SEX		WEIGHT	
RACE		EYES	
HAIR			
SSN			
DRIVER'S LICENSE #			
EXP. DATE		STATE	

CAUTION:

- Weapon Involved**
- Weapon Present on the Property**
- Weapon Ordered Relinquished**

The Court Hereby Finds: That it has jurisdiction over the parties and subject matter, and the Defendant will be provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:

- Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.
- Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.
- Additional findings of this order are set forth below.

Order Effective Date _____

Order Expiration Date _____

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 23 Pa. C.S.A. §6114. Consent of Plaintiff to Defendant's return to the residence shall **not** invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa. C.S.A. §6108(g). If Defendant is required to relinquish any firearms, other weapons or ammunition or any firearm license, those items must be relinquished to the sheriff within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act. 18 U.S.C. §§2261-2262.

AND NOW, this _____ day of _____, 20____, upon consideration of the attached Petition for Protection from Abuse, the court hereby enters the following Temporary Order:

Plaintiff's request for a Temporary Protection Order is denied.

Plaintiff's request for a Temporary Protection Order is granted.

___ 1. Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.

___ 2. Defendant shall be evicted and excluded from the residence at: _____
or any other permanent or temporary residence where Plaintiff or any other persons protected under this order may live. Plaintiff is granted exclusive possession of the residence. Defendant shall have no right or privilege to enter or be present on the premises of Plaintiff or any other person protected under this order.

___ 3. Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant is prohibited from having ANY CONTACT with Plaintiff, or any other person protected under this order, either directly or indirectly, at any location, including but not limited to any contact at Plaintiff's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this order.

___ 4. Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.

___ 5. CUSTODY

___ There is a current custody order as to the child/ren of the parties:

County court _____ Docket Number _____

___ THIS ORDER SHALL NOT SUPERSEDE THE CURRENT CUSTODY ORDER.

___ THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

___ Until the final hearing, all contact between Defendant and the child/ren shall be limited to the following:

___ Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child/ren:

___ The local law enforcement agency in the jurisdiction where the child/ren are located shall ensure that the child/ren are placed in the care and control of Plaintiff in accordance with the terms of this order.

___ 6. FIREARMS, OTHER WEAPONS AND AMMUNITION RESTRICTIONS

Check all that apply:

___ Defendant is prohibited from possessing, transferring or acquiring any firearms for the duration of this order.

___ Defendant shall relinquish to the sheriff the following firearms licenses owned or possessed by Defendant:

___ Defendant is directed to relinquish to the sheriff any firearm, other weapon or ammunition listed in Attachment A to Temporary Order, which is incorporated herein by references. Defendant may relinquish any

firearms, other weapons or ammunition to the sheriff. As an alternative, Defendant may relinquish firearms, other weapons and ammunition to a third party provided Defendant and the third party first comply with all the requirements to obtain a safekeeping permit. Defendant must relinquish any firearm, other weapon, ammunition or firearm license ordered to be relinquished no later than 24 hours after service of this order. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide to the sheriff an affidavit listing the firearms, other weapons or ammunition and their current location no later than 24 hours after service of this order. Failure to timely relinquish any firearm, other weapon, ammunition or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa.C.S.A. § 6105.

___ 7. The following additional relief is granted:

___ Defendant is prohibited from stalking, as defined in 18 Pa.C.S.A. §2709.1, or harassing, as defined in 18 Pa.C.S.A. § 2709, the following family and household members of Plaintiff:

Name	Address (optional)	Relationship to Plaintiff
_____	_____	_____
_____	_____	_____
_____	_____	_____

___ Other Relief:

___ 8. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and any other agency specified hereafter:

___ 9. THIS ORDER SUPERSEDES ANY PRIOR PROTECTION FROM ABUSE ORDER OBTAINED BY THE SAME PLAINTIFF AGAINST THE SAME DEFENDANT.

___ 10. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL _____ OR UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where the Defendant may be located. If Defendant violates Paragraphs 1 through 6 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff.

Subsequent to an arrest, the law enforcement officer or sheriff shall seize all firearms, other weapons and ammunition in Defendant's possession which were used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in Defendant's possession. Any firearm, other weapon, ammunition or any firearm license must be delivered to the sheriff's office of the county which issued this order, which office shall maintain possession of the firearms, other weapons and

ammunition until further order of this court, unless the weapon/s are evidence of a crime, in which case, they shall remain with the law enforcement agency whose officer or sheriff made the arrest.

BY THE COURT:

Judge

Date

Distribution to:

**IN THE COURT OF COMMON PLEAS OF
CLINTON COUNTY, PENNSYLVANIA
MISCELLANEOUS**

Plaintiff)	
vs.)	NO. _____ - _____
)	PROTECTION FROM ABUSE
)	
Defendant)	

**ATTACHMENT A TO TEMPORARY ORDER
FIREARMS, OTHER WEAPONS AND AMMUNITION INVENTORY**

It is hereby ordered that Defendant relinquish the following firearms, other weapons and ammunition to the sheriff:

Firearm/Other Weapon/Ammunition	Location
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

_____ All firearms, other weapons and ammunition owned or possessed by the defendant.

BY THE COURT:

Judge

Date

NOTICE: This attachment will be withheld from public inspection in accordance with 23 Pa.C.S.A. § 6108(a)(7)(v).