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|---|--|-------------|--------------------------------|----------------|
| EMERGENCY ORDER OF PROTECTION | In the Court of the Quapaw Nation | | | |
| | Case No. 5681 S. 630 Road, Quapaw, OK, 74363; (918) 542-1853 | | | |
| Petitioner | Additional Petitioner Information Name(s) and age(s) of minor family member(s) | | | |
| First Middle Last and/or on behalf of minor family member(s) | | | | |
| | | | | |
| vs. Defendant | Defendant Identifiers | | | |
| | SEX | RACE | DOB | HT |
| | | | | |
| | EYES | HAIR | DISTINGUISHING FEATURES | |
| | | | | |
| First Middle Last Relationship to Petitioner: | DRIVER'S LICENSE # | | STATE | EXPIRES |
| | | | | |
| Defendant's Address (Street address, City, State, Zip Code) | Other | | | |
| | | | | |

(Clerk: File Stamp Below)

THE COURT ORDERS AS FOLLOWS:

A. CAUTIONS:

Weapon Involved—Type: _____

Weapon Present on Property

Unknown if Weapon Present

B. THE COURT FINDS AS FOLLOWS:

(1) That it has jurisdiction over the parties and subject matter.

(2) That the Defendant has been or will be provided with reasonable notice and opportunity to be heard.

- (3) That an Emergency Ex Parte Order is necessary to protect the Petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment.
- (4) Additional findings and terms of this Order follow on succeeding pages.

Hearing Ordered: The Court Orders the Defendant and Petitioner to appear before the Court of the Quapaw Tribe on the _____ day of _____, 20____, at _____ a.m./p.m., before Judge _____.

IF DEFENDANT FAILS TO APPEAR AT THE HEARING, THIS ORDER MAY BECOME A FINAL PROTECTIVE ORDER WITHOUT FURTHER NOTICE, AND OTHER RELIEF MAY BE GRANTED.

Validity: This Order shall have validity to the fullest extent of the Court’s jurisdiction permitted under law, unless specifically modified or terminated by court with jurisdiction. This Order shall be enforced, even without registration or filing, by any court with jurisdiction, including the courts of the United States, any state, the District of Columbia, any U.S. Territory, or Indian tribe (18 U.S.C. § 2265). Crossing state, territorial or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. § 2262).

Duration: This Emergency Order shall remain in effect until after the full hearing is conducted.

C. RELIEF.

THE COURT FURTHER ORDERS THE FOLLOWING RELIEF (as specifically marked by checked boxes below):

- (1) Defendant is prohibited from attempting or having ANY CONTACT whatsoever with the Petitioner (hereinafter "protected person"), either in person, through others or by telephone, mail, electronic means; or any other manner; at any time or place unless specifically authorized by the Court.
- (2) Defendant is prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking, threatening, or otherwise interfering with the protected person(s), and from use, attempted use or threatened use of physical force against the protected person(s) that would reasonably be expected to cause bodily injury.
- (3) Defendant is prohibited from engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to the protected person(s) or the protected person(s) household members or relatives.
- (4) Defendant is ordered to leave and remain away from the residence located at:

 on or before the _____ day of _____, 20____, at a.m./p.m., and take no action to change utilities or telephone service.
- (5a) If this Order is served upon Defendant at the residence to be vacated, Law Enforcement Officers shall remain at the residence until Defendant removes necessary clothing and personal effects and leaves the premises.
- (5b) If this Order is served upon Defendant at a location other than the residence to be vacated, Law

Enforcement Officers shall accompany the Defendant to the residence and remain in attendance until Defendant removes necessary clothing and personal effects and leaves the premises. Defendant is ordered NOT to go to the residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present as stated in this paragraph.

- (6) Law Enforcement Officers shall accompany the Petitioner (or provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

(7) Defendant who is a minor, is ordered to leave the residence located at (address, city, state) and shall be immediately placed in custody of _____, and a preliminary inquiry in a juvenile proceeding is hereby ordered to determine whether further Court action should be taken against the juvenile defendant.

Circle Age of Minor Defendant: 13 14 15 16 17

- (8) There is an existing visitation order, and in order to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody Order, the Court suspends or modifies child visitation as follows:

a. Visitation is suspended until another Court assumes jurisdiction and modifies.

b. All visitation must be supervised, and in the presence of the following supervisor: _____

c. Pickup/Delivery of children) for visitation shall be by/at:

d. Other; _____

- (9) Exclusive care and custody of certain animal(s) is awarded to the Petitioner. Defendant is ordered to have no contact with said animal(s) and is forbidden from taking, harming or disposing of said animal(s). The animal(s) subject to this Order are identified as follows:

- (10) Defendant shall immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control, and any concealed carry license, to the Marshal of the Quapaw Nation or a private attorney or to the following: _____.

- (11) IT IS FURTHER ORDERED:

D. WARNINGS TO DEFENDANT AND PROTECTED PERSON(S):

1. The filing or non-filing of criminal charges and the prosecution of the case shall not be determined by a person who is protected by the protective order, but shall be determined by the prosecutor.
2. No person, including a person who is protected by this Order, may give permission to anyone to ignore or violate any provision of the Order. During the time in which the Order is valid, every provision of the Order shall be in full force and effect unless a court with jurisdiction changes the Order.
3. A Final Protective Order, granted after notice and hearing, will be in effect for three (3) years unless extended, modified, vacated or rescinded by the Court.
4. A violation of the Order is punishable by a fine or imprisonment, or by both such fine and imprisonment.
5. Possession of a firearm or ammunition by a defendant while an order is in effect may subject the defendant to prosecution for a violation of federal law even if the order does not specifically prohibit the defendant from possession of a firearm or ammunition.
6. Any person who knowingly and willfully presents any false or materially altered protective order to any law enforcement officer to effect an arrest of any person may, upon conviction, be subject imprisonment or a fine.
7. This Order complies with the Violence Against Women Act's full faith and credit provision (18 U.S.C. § 2285), and this Order is enforceable throughout Oklahoma and in all 50 states, U.S. territories, Indian tribal lands, and the District of Columbia.

DATED THIS _____ DAY OF _____, 20 ____ .

JUDGE OF THE COURT