

EX PARTE PROTECTION ORDER

(Protection from Abuse Act)

§30-5-1, et seq., Ala. Code 1975

For Cases Filed on Between July 1, 2010 and December 31, 2015
Amended Order

State of Alabama Unified Judicial System Form C-4 (Page 1 of 3)
Rev. 11/13

Case No. _____

In the Circuit Court of _____ County, Alabama

PLAINTIFF

PLAINTIFF

FIRST

MIDDLE

LAST

Date of Birth (DOB) of Plaintiff

and/or any minor(s) on whose behalf the Petition for Protection
from Abuse filed [List Name(s) and DOB(s)]:

Other Protected Persons(s) [List Name(s) and DOB(s)]:

V.

DEFENDANT

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVER'S LICENSE #		STATE	EXP. DATE	
VEHICLE			TAG #	

First

Middle

Last

Relationship to Plaintiff: Spouse Former Spouse
Common-Law Marriage Child in Common

Current or Former Household Member
Dating Relationship

Defendant's Home Address & Telephone #: _____

CAUTION: WEAPONS INVOLVED Firearm Knife Hands, Feet, Fist Other: _____
Weapon Present on the Property

THE COURT HEREBY FINDS (Check all that apply):

Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and subject matter and that:

A temporary order is necessary to prevent abuse.

The Defendant represents a credible threat to the physical safety of the: Plaintiff; and/or child(ren); and/or any designated person to wit: _____.

THE COURT HEREBY ORDERS (Check all that apply):

That the above-named Defendant be enjoined from threatening to commit or committing acts of abuse as defined in the Protection from Abuse Act.

That the above-named Defendant be restrained from any contact with the Plaintiff; and/or child(ren); and/or any designated person, to wit: _____.

Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until: _____, _____;
or further Order of the Court.

NOTICE TO LAW ENFORCEMENT

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any state, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265).

WARNINGS TO DEFENDANT:

This Order shall be enforced, even without registration, by the courts and any law enforcement officer of any State, the District of Columbia, and any U. S. territory, and may be enforced by Tribal Lands (18 U.S.C.A. Section 2265). Crossing state, territorial or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A violation of this ORDER is a Class A misdemeanor, Ala. Code 1975, Section 13A-6-142. The Defendant is notified the he or she has a right to request a final hearing prior to 10 days of perfection of service of the Petition for Protection from Abuse.

ONLY THE COURT CAN CHANGE THIS ORDER

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

Judge's Initials: _____

EX PARTE PROTECTION ORDER

(Protection from Abuse Act)
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Amended Order

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Case No.

In the Circuit Court of _____ County, ALABAMA

THE COURT FURTHER ORDERS THAT (Check all that apply):

- (1) The Defendant is enjoined from threatening to commit, or committing, acts of abuse, as defined in the Protection from Abuse Act, against the: Plaintiff; and/or child(ren); and/or any designated person, to wit: _____.
- (2) The Defendant is restrained and enjoined from harassing, stalking, annoying, telephoning, contacting, or otherwise communicating, directly or indirectly with the Plaintiff; and/or child(ren); and/or any designated family or household member, to wit: _____ or threatening, or engaging in conduct that would place in reasonable fear of bodily injury, the: Plaintiff; and/or child(ren) of the Plaintiff; and/or any designated person to wit: _____.
- (3) The Defendant is ordered to stay away from:
The Plaintiff's residence; place of employment; school; and/or
The child(ren)'s: residence; place of employment; school and/or any designated person's, to-wit: _____
_____ residence; place of employment; school; and/or any specified place, which the court determines the Defendant has no legitimate reason to frequent, as designated below, frequented by: the Plaintiff; and/or child(ren); and/or any designated person. Name(s) and location(s) of the other specified place(s): _____.
The Defendant is ordered to not go within _____ feet of Plaintiff; child(ren); and or any designated person.
- (4) Temporary custody of the child(ren) of the parties is hereby awarded to: _____.
- (5) The Defendant is enjoined from interfering with the Plaintiff's efforts to remove child(ren); I direct _____ (appropriate law enforcement officer) to accompany the Plaintiff during the effort.
- (6) The Defendant is enjoined from removing any child(ren) from the individual, to wit: _____, having legal custody of the child(ren), except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdiction.
- (7) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.
- (8) The possession and use of the automobile, _____, is awarded to _____ (Description, year, make) _____; and other essential personal effects, _____ (Please specify) _____ are awarded to _____ (the appropriate law enforcement officer) is to accompany the Plaintiff to the residence of the parties or to _____ as necessary to protect the Plaintiff or any child(ren) from abuse.
- (9) The Defendant is prohibited from: transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties, as follows: _____.

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-CDfendant

Judge's Initials: _____

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Case No.

In The Circuit Court of _____ County, Alabama

(10) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the: Plaintiff; and/or any child(ren); and/or any designated person, as follows:

_____.

_____.

Any law enforcement officer is hereby directed to accompany the Plaintiff to the: residence of the parties; and/or another location, _____, as necessary to enforce any of the terms
(description of location)

of this Order, to wit: _____.

(11) Other (please specify) _____

_____.

This matter is set for a final hearing on _____ (date) at _____ to be held at

_____.

The Defendant is advised that he or she has the right to counsel at this hearing at his or her expense, but not counsel appointed by the court.

Date

Judge

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant