

PETITION FOR EMERGENCY TEMPORARY PROTECTIVE ORDER (Note: This form is for use when the Court is <u>NOT</u> open for business)	District Court of _____ County State of Oklahoma Court Phone Number (____)_____																																			
Petitioner _____ First Middle Last and/or on behalf of minor family member(s)	Additional Petitioner Information Name(s) and age(s) of minor family member(s) _____ _____ _____																																			
-VS- Defendant _____ First Middle Last Relationship to Petitioner: _____ Defendant's Address (Street address, City, State, Zip Code) _____ _____ _____	Defendant Identifiers <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">SEX</th> <th style="width: 15%;">RACE</th> <th style="width: 15%;">DOB</th> <th style="width: 15%;">HT</th> <th style="width: 15%;">WT</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <th>EYES</th> <th>HAIR</th> <th colspan="3">DISTINGUISHING FEATURES</th> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <th colspan="2">DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="2">EXPIRES</th> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> <tr> <td colspan="5" style="height: 50px; vertical-align: top;">Other</td> </tr> </table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	DISTINGUISHING FEATURES								DRIVERS LICENSE #		STATE	EXPIRES							Other				
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(Clerk's File Stamp Below)

1. Action(s) of Defendant

INSTRUCTION: Check all boxes that apply

- | | |
|--|---|
| ☐ Domestic Violence | ☐ Stalking |
| ☐ Harassment | ☐ Rape |
| ☐ Forcible Sodomy | ☐ Sex Offense |
| ☐ Kidnapping | ☐ Assault and Battery with a Deadly Weapon |
| ☐ First Degree Murder of Immediate Family Member (Petitioner is a member of the Immediate Family) | |

2. Description of Incident(s)

Describe what happened, when and where the event(s) occurred.

ATTACH ADDITIONAL PAGES IF NECESSARY

3. Relief Requested

☐ Defendant should be prohibited from attempting or having **ANY CONTACT** whatsoever with the Petitioner, 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.

☐ Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.

☐ Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.

4. Request for Order of Protection

INSTRUCTION: If granted, the **EMERGENCY TEMPORARY EX PARTE ORDER** shall be effective only until the court date that is assigned by the Court during the approval of this order. You must come to the courthouse on that day if you want further Protective Order relief. If the Court does NOT grant an Emergency Temporary Ex Parte Order, you may still file a Petition when the Court opens for business.

REQUEST: The Court is not open for business, and the Petitioner requests an EMERGENCY TEMPORARY EX PARTE ORDER OF PROTECTION (22 O.S. §60.2(A)(2), §60.3(C), and §40.3). Petitioner requests the Court to authorize a law enforcement officer to complete the written statement attached to this Petition, and to impose all terms and conditions in the Emergency Temporary Ex Parte Order which are necessary to protect the Petitioner(s) from immediate and present danger.

5. WARNINGS TO PETITIONER:

- A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. Pursuant to 21 O.S. §§500 and 504, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.
- B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff pursuant to 22 O.S. §60.2 (C)(2).
- C. It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to 22 O.S. §60.4(H).

6. Sworn Statement/Affirmation of Truth

I state, under penalty of perjury under the laws of Oklahoma, that I have read the above and foregoing document, understand the meaning thereof, and declare that the facts and statements contained herein are true to the best of my knowledge and belief.

PETITIONER

DATE

**STATEMENT OF PEACE OFFICER ATTESTING TO
EMERGENCY TEMPORARY ORDER OF PROTECTION**

**INSTRUCTION: This section should be completed when the Emergency
Temporary Order is Granted**

Name of Attesting Officer	
Law Enforcement Agency	
Office Address	
Telephone Number(s)	
Date and Time of Judge's Authorization	Approval of Order was granted on this _____ day of _____, 20__ at ____:____
Date of Court Hearing	_____ day of _____, 20__ at ____:____ District Court of _____ County

Pursuant to 22 O.S. §60.3(C) and §40.3, I hereby state and attest to the following facts:

1. The following individual, _____ (name of Petitioner), has requested an Emergency Temporary Order of Protection, and has completed the attached Petition for such Order.
2. The Court is not open for business at the time of this request.
3. I have notified Judge _____ of the District Court of _____ county of the request for an Emergency Temporary Order of Protection and I have described the circumstances to the Judge.
4. The Judge has found that there is reasonable cause to believe that the Order is necessary to protect the victim, and has verbally APPROVED the Emergency Temporary Order of Protection, with the following terms:
 - a. 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.

- b. Defendant is prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening 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.
- c. 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.
- d. Other Terms and Conditions Authorized by the Court:

- 5. The Judge has verbally directed me to complete and sign this statement attesting to the Order authorized by the Court.
- 6. This signed statement will serve as evidence of the verbal granting of the Emergency Temporary Order of Protection, and will remain in effect until the Court Date listed above.

Signature of Attesting Officer

Date

INSTRUCTION TO PETITIONER: This EMERGENCY TEMPORARY EX PARTE ORDER shall be effective until the Court Date listed above. You must come to the courthouse that day if you want further Protective Order relief.

WARNING TO DEFENDANT: A violation of this order is punishable by a fine of up to One Thousand Dollars (\$1,000.00) or imprisonment for up to one (1) year in the county jail, or by both such fine and imprisonment. A violation of the order which causes injury is punishable by imprisonment for twenty (20) days to one (1) year in the county jail or a fine of up to Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Additional offenses and penalties are provided in federal and state law, including 22 O.S. §60.6.