



IN THE 12TH JUDICIAL CIRCUIT COURT, AUDRAIN COUNTY, MISSOURI

Adult Abuse/Stalking

Judgment Entry

Full Order of Protection

FILED

Judge or Division: WESLEY CLAY DALTON	Case Number: 12AU-PN00112	OCT 05 2012
	Court ORI Number: MO004033J	
Petitioner:	MSHP Number: 120613154526	PENNY J. CREED, CIRCUIT CLERK AUDRAIN COUNTY, MISSOURI
	Responsible Law Enforcement ORI: MO0040000	
Relationship to Respondent (specified on petition):	Related Cases:	(Date File Stamp)

Respondent: DUSTIN LYNN BLUE	Respondent Identifiers:																														
	<table border="1"> <tr> <th>SEX</th> <th>RACE</th> <th>DOB</th> <th>HT</th> <th>WT</th> </tr> <tr> <td>M</td> <td>White</td> <td></td> <td></td> <td></td> </tr> <tr> <th>HAIR</th> <th>EYES</th> <th colspan="3">SOCIAL SECURITY # (last four digits)</th> </tr> <tr> <td>Blond</td> <td>Blue</td> <td colspan="3"></td> </tr> <tr> <th>DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="3">EXP DATE</th> </tr> <tr> <td></td> <td></td> <td colspan="3"></td> </tr> </table>	SEX	RACE	DOB	HT	WT	M	White				HAIR	EYES	SOCIAL SECURITY # (last four digits)			Blond	Blue				DRIVERS LICENSE #	STATE	EXP DATE							
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M	White																														
HAIR	EYES	SOCIAL SECURITY # (last four digits)																													
Blond	Blue																														
DRIVERS LICENSE #	STATE	EXP DATE																													
Address: [REDACTED]	Distinguishing Features:																														

**CAUTION:**

Weapon Involved

Concealed Carry Endorsement/Certificate Holder

Appearances:  Petitioner  Respondent  Respondent Fails to Appear

GAL  Petitioner's Attorney  Respondent's Attorney  Other:

The Court hereby finds:  
That it has jurisdiction over the parties and subject matter, and the Respondent has been provided with reasonable notice and opportunity to be heard.

Additional findings of this order are as set forth below.

The Court hereby orders:  
 That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.  
 That the above named Respondent be restrained from any contact with the Petitioner.  
 Additional terms of this order are as set forth below.  
The terms of this order shall be effective until OCTOBER 04, 2013.

**WARNINGS TO RESPONDENT:**

If you hold a concealed carry endorsement or certificate of qualification, you must surrender such to the court, officer or the official serving this order.

This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Authorities in Indian Country (18 U.S.C. Section 2265). Crossing state, territory, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

Only the Court can change this order.

(Check Applicable Statement)

Petitioner has filed a verified petition requesting an Order of Protection. Notice of the date set for the hearing, together with a copy of the petition and any Ex Parte Order of Protection, was served on Respondent at least three days prior to the hearing. The matter was heard and submitted to the court which, after due consideration, finds pursuant to section 455.040, RSMo, that Petitioner has proved the allegations of abuse or stalking.

Petitioner and Respondent submit this judgment by consent and request that the court order the following:

Petitioner has filed a motion for renewal of her/his full order of protection. Notice of the date set for hearing, together with a copy of the motion, was served on Respondent prior to the hearing as provided by law. The matter was heard and submitted to the court which, after due consideration, finds pursuant to section 455.040, RSMo, that the full order of protection should be renewed.

Order

(Only those provisions checked apply)

- This Order replaces and supersedes the Ex Parte Order of Protection entered in this cause on JUNE 13, 2012 and serves as notice of termination of that Order.
- This Order renews the Full Order of Protection entered in this cause on and serves as notice of renewal of that Order.
- Respondent shall not abuse, threaten to abuse, molest, stalk or disturb the peace of Petitioner wherever Petitioner may be found: .[01 & 04]
- Respondent shall not use, attempt to use, or threaten to use physical force against Petitioner that would reasonably be expected to cause bodily injury and shall not stalk, abuse, threaten to abuse, molest or disturb the peace of Petitioner wherever Petitioner may be found. [01]
- Respondent shall not communicate with Petitioner in any manner or through any medium. [05]
- Respondent shall not enter or stay upon the premises of wherever Petitioner may reside.
  - Located at (unless disclosure waived) [08]
- Respondent shall not enter upon the premises of the Petitioner's place of employment or school, or be within (a certain distance) of the Petitioner.
- Respondent shall not transfer, encumber or otherwise dispose of the following property mutually owned or leased with Petitioner: . [08]
- Petitioner shall be given temporary possession of the following personal property:
- Respondent is authorized, accompanied by a law enforcement officer, to remove from the residence at the following personal property: .
- Respondent shall participate in a court approved counseling program for  batterers  substance abuse treatment at beginning .
- Custody of child(ren) shall be awarded as follows:

<u>Child's Name</u>	<u>Person Awarded Custody</u> [Respondent-06, Petitioner-09]
_____	_____
_____	_____
_____	_____

- A visitation schedule shall be established for  Petitioner  Respondent [06] as follows: .
- The parties shall exchange the minor child(ren) for visitation at .
- Petitioner  Respondent shall pay child support to  Petitioner  Respondent as follows: \$  per week  per month, with the first payment due .
- Respondent shall pay maintenance to Petitioner as follows: \$  per week  per month, with the first payment due .
- is appointed as trustee to receive the maintenance and/or child support.
- Petitioner  Respondent shall execute an income assignment for:  child support  maintenance.
- Respondent shall pay the rent or mortgage on the residence at in the amount of \$ per to , with the first payment due
- Respondent shall pay Petitioner's rent at a residence, other than the residence previously shared with Respondent, in the amount of \$ per to , with the first payment due .
- Respondent shall pay the cost of medical treatment and services provided to Petitioner as a result of injuries sustained by an act of domestic violence committed by Respondent.
- Respondent shall surrender his or her license containing a concealed carry endorsement.
- Respondent presents a risk of harm to self or others and shall surrender his or her license containing a concealed carry endorsement.
- Court Costs are assessed against Respondent.
- Respondent shall pay to Petitioner attorney's fees in the amount of \$.
- Other Orders:

**Federal Firearms Restriction**

The Court finds that:

- a. as a result of a hearing at which the Respondent received notice and had an opportunity to participate; and,
  - b. Respondent is a spouse, former spouse, is or was cohabitating, or has a child in common with the Petitioner; and,
  - c. Respondent is a credible threat to the physical safety of, or is explicitly prohibited within this Order from the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury against the Petitioner; and,
  - d. Respondent is restricted from harassing, stalking or threatening the Petitioner, the child they have in common or a child of the Petitioner's partner, or from engaging in any conduct that would place the Petitioner in reasonable fear of bodily injury to him or her self, the child in common, or child of the Petitioner's partner.
- Respondent is prohibited from possessing a firearm pursuant to Federal Law.

(See Notice Regarding Firearm Restriction.)

**Violation of this Order may be punished by confinement in jail for as long as four years and by a fine of as much as five thousand dollars. If so ordered by the court, Respondent is forbidden to enter or stay at Petitioner's residence.**

**This Order shall be effective until OCTOBER 4, 2013, unless sooner terminated or renewed.**

This judgment shall automatically renew after one year for one additional year unless Respondent requests a hearing by 30 days prior to the expiration date of this Order.

**SO ORDERED:**

10-5-12  
Date

[Signature]  
Judge

**Notice of Findings and Recommendations & Notice of Right to Rehearing**

The parties are notified that the foregoing Findings and Recommendations have been entered this date by a commissioner, and all papers relative to the case or proceedings, together with the Findings and Recommendations, have been transferred to a Judge of the Court. The Findings and Recommendations shall become the Judgment of the Court upon adoption by order of the Judge. Unless waived by the parties in writing, a party to the case or proceeding heard by a commissioner, within fifteen days after the mailing of notice of the filing of the Judgment of the Court, may file a motion for rehearing by a Judge of the Court. If the motion for rehearing is not ruled on within forty-five days after the motion is filed, the motion is overruled for all purposes. Rule 129.13

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner

**Order and Judgment Adopting Commissioner's Findings and Recommendations**

It is hereby ordered, adjudged and decreed that the foregoing Findings and Recommendations entered by the commissioner are adopted and confirmed as a final Judgment of the Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

**Consent Order Only**

Respondent consents to entry of the above orders, but this consent shall not be taken as an admission by Respondent that the allegations contained in the petition are true.

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Attorney for Petitioner's Signature

\_\_\_\_\_  
Attorney for Respondent's Signature

If appropriate, copy sent to  Court Appointed Special Advocate  Guardian Ad Litem

**Notice of Renewal of Order**

This Full Order of Protection may be extended for additional periods of time upon application and a court hearing. Any application should be made at least two weeks before the expiration date indicated on the Full Order of Protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte (temporary) order of protection may be issued until a hearing is held on the motion.

**Notice to the Person Obligated to Pay Support or Maintenance**

(Pursuant to Section 452.340)

Effective January 1, 1994, for every order for child support or maintenance entered or modified by the court under the authority of Chapter 452 or otherwise, income withholding under section 452.350, RSMo shall be initiated on the effective date of the order unless the court finds there is good reason not to require immediate income withholding or a written agreement between the parties provides for an alternative arrangement.

**Notice Regarding Firearms Restrictions**

Pursuant to 18 USC 922

- (g) it shall be unlawful for any person-
- (8) who is subject to a court order that-
  - (a) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
  - (b) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
  - (c) (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury,

to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

### Sheriff's or Server's Return

I certify that I served this Order at \_\_\_\_\_ (address) in \_\_\_\_\_ (County/City of St. Louis), Missouri, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time), by:

(Check one)

- delivering a copy of the Order to \_\_\_\_\_ (name).
- leaving a copy of the Order at the dwelling place or usual abode of \_\_\_\_\_ (name) with \_\_\_\_\_ (name), a person of \_\_\_\_\_'s (name) family over the age of 15 years.
- other (describe) \_\_\_\_\_

Printed Name of Sheriff or Server \_\_\_\_\_

Sheriff or Server \_\_\_\_\_

Agency ORI \_\_\_\_\_

**Must be sworn before a notary public if not served by an authorized officer**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date \_\_\_\_\_

Notary Public \_\_\_\_\_

Respondent's license surrendered for concealed carry suspension and is attached.

Missouri and federal law provides that the costs and fees for service of protection orders are not required. (455.010 RSMo & 42 U.S.C. Section 3796gg-5)

### Complete for Out of State Service

I certify that:

1) I am authorized to serve process in civil actions within the state or territory where the above Order was served.

2) My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).

Served in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Subscribed and Sworn To before me this \_\_\_\_\_ (date).

I am: (check one)

- the clerk of the court of which affiant is an officer.
- the judge of the court of which affiant is an officer.
- authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title \_\_\_\_\_

Respondent's Missouri license surrendered for concealed carry suspension and is attached.

Missouri and federal law provides that the costs and fees for service of protection orders are not required. (455.010 RSMo & 42 U.S.C. Section 3796gg-5)

### Directions to Officer Making Return on Service

A copy of the Order must be served on each person. If any person refuses to receive the copy of the Order when offered to him, the return shall be prepared to show the offer of the officer to deliver the order and the person's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an incompetent person not having a legally appointed guardian, by delivering a copy of the Order to the individual personally or by leaving a copy of the Order at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the Order to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an incompetent person who has a legally appointed guardian, by delivering a copy of the Order to the guardian personally.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

If served outside of Missouri, the officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

The return should be made promptly.

### Instructions to Clerk

1. A copy of the Full Order of Protection shall be issued to Petitioner, Respondent, and the law enforcement agency (police or sheriff) in the city or county where Petitioner resides.
2. A copy of the Full Order of Protection shall be issued the same day the order is granted to the law enforcement agency responsible for maintaining the Missouri Uniform Law Enforcement System (MULES).
3. A copy of the Full Order of Protection shall be served upon or mailed by certified mail to Respondent(s) at his or her last known address.
4. Respondent shall surrender his or her license containing a concealed carry endorsement. The endorsement shall be suspended and the license held by the court in a confidential manner until this Order is no longer valid.



IN THE <sup>13<sup>th</sup></sup> JUDICIAL CIRCUIT COURT, Audrain

**FILED** MISSOURI

JUN 13 2012

PENNY J. CREED, CIRCUIT CLERK  
AUDRAIN COUNTY, MISSOURI  
(Date File Stamp)

Judge or Division: <u>I</u>	Case Number: <u>12AU-PN00112</u>
Petitioner:	Court ORI Number:
vs.	MSHP Number:
Respondent: <u>Dustin L. Blue</u>	Responsible Law Enforcement ORI: <u>PENNY J. CREED, CIRCUIT CLERK AUDRAIN COUNTY, MISSOURI</u>
Alias/Nicknames:	Related Cases:
Respondent's DOB: Age: <u>28</u> SSN (if known, last four digits): Race: <u>White</u> Hair Color: <u>Blonde</u> Eye Color: <u>Blue</u> (Identifying Information for use by Law Enforcement)	Respondent's Home Address:
Sex: <input type="checkbox"/> F <input checked="" type="checkbox"/> M Height: <u>5'10"</u> Weight: <u>---</u>	Home Phone Number:
Visible Identifying Marks (e.g. tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses): <u>tattoo on each bicep</u>	Respondent's Work Address: <u>N/A</u>
	Work Phone Number:
	Work Hours:
	Other Locations Where Respondent May Be Served: <u>N/A</u>
	Petitioner's Relationship to Respondent pursuant to 18 U.S.C. §§ 921(a)(32) and 922(g)(8) determination: <input type="checkbox"/> Spouse <input type="checkbox"/> Adults with child(ren) in common <input type="checkbox"/> Former spouse <input type="checkbox"/> Adults, intimate residing/resided together <input checked="" type="checkbox"/> Adults are/were in a continuing social relationship of a romantic/intimate nature <input type="checkbox"/> Adults related by blood. Define relationship: _____ <input type="checkbox"/> Adults related by marriage. Define relationship: _____ <input type="checkbox"/> Adults residing/resided together; no intimacy <input checked="" type="checkbox"/> Stalking. Define relationship: _____

**Adult Abuse/Stalking Petition for Order of Protection**

1. I am Petitioner and Respondent is  at least 17 years of age  under 17 but emancipated  
 at least 17 years of age  under 17 but emancipated  under 17

2. I reside in Mexico (city), Missouri (state), in the County of Audrain.  
Respondent may be found in Mexico (city), Missouri (state), in the County of Audrain.

3. An act of abuse or stalking occurred at \_\_\_\_\_ (address), Mexico (city), Missouri (state), in the County of Audrain.

4. Respondent and I: (check one or more)  
 are related by blood.  were related by marriage.  
 are spouses.  are related by marriage.  
 were spouses.  have no relationship other than Respondent has stalked me.  
 have child(ren) in common.  are in a continuing romantic or intimate social relationship.

Complete for Adult Abuse Petition Only.  
5. Respondent and I: (check one or more)  
 previously resided together at \_\_\_\_\_ (address), \_\_\_\_\_ (city), \_\_\_\_\_ (state), in the County of \_\_\_\_\_ of \_\_\_\_\_  
 never resided together.

Complete for Stalking Petition Only.  
6. Respondent is stalking me. Explain relationship (example: co-workers, neighbors, etc.)  
\_\_\_\_\_

Complete for Adult Abuse Petition Only

7. The residence in which I live is: (check one or more)

- owned, leased, rented or occupied by me.
- jointly owned, leased, rented or occupied by me and someone other than Respondent.
- owned, leased, rented or occupied by someone else, and Respondent is my spouse.
- jointly occupied by me and another person, and Respondent has no property interest therein.

8. Respondent has knowingly and intentionally: (check at least one)

- coerced me
- stalked me
- harassed me
- sexually assaulted me
- unlawfully imprisoned me
- followed me from place to place
- caused or attempted to cause me physical harm
- placed or attempted to place me in apprehension of immediate physical harm
- threatened to do any of the above

by the following act(s): (Include the most recent date(s) of each act described.)

6/19/12 - Dusty called me in Springfield, MO and asked if I had cheated on him and I told Dusty No. I got to \_\_\_\_\_ and he said we need to talk and I told him No, I'm done and I'm packing my stuff.

9. I am afraid of Respondent, and there is an immediate and present danger of abuse or stalking of me because: (describe)

Dusty had threatened to tear me to pieces, he punches holes in walls and questions me making me nervous and anxious and doesn't want me to talk to family or friends about our problems

10.  Photographs/Exhibits are filed as evidence of my injuries.

Complete for Adult Abuse Petition Only

11. It is in the best interest of the minor children that custody be awarded as follows:

	Child's Name	SSN (last 4 digits only)	Age	Address (If other than Petitioner)
1.				
2.				
3.				
4.				
5.				

	Who did each Child reside with during last six months	Relationship to Parties (Explain if not Respondent's Child)	Persons to Receive Custody	Custody (check one or both)	
				Temporary	Full
1.				<input type="checkbox"/>	<input type="checkbox"/>
2.				<input type="checkbox"/>	<input type="checkbox"/>
3.				<input type="checkbox"/>	<input type="checkbox"/>
4.				<input type="checkbox"/>	<input type="checkbox"/>
5.				<input type="checkbox"/>	<input type="checkbox"/>

(If necessary, attach additional sheets.)

12. Indicate any prior or pending custody court cases before, or orders entered by, this court or any other court involving the following parties.  
(If none, so state):

- a. Petitioner \_\_\_\_\_
- b. Respondent \_\_\_\_\_
- c. Children (identified in item 11) \_\_\_\_\_

13.  Order Petitioner's residential address on voter's registration record to be closed to the public.

NA

He said I was being irrational, and I said I need to get myself healthy. He said to think about what I'm doing to her. So I was trying to take my stuff outside and he said I can't take anything.

I called the police b/c he wouldn't let me take anything out. I was going to call my mom to have her come get my stuff and put it in her car but he took the phone b/c he said it was his phone under his phone plan. I used the officers phone to call my mom and

stuff. Dusty began calling me a dirty whore and a cunt, and saying I'll have another guy lying my car in 2 days. Amongst other nasty things. I needed my keys to my car that he had been using the past 2 days while I was at convention for

already gave them to me. So the officer (Price) helped me but for the keys and we couldn't find them so I had to leave my car there and get it towed. Dusty has my spare set of keys and he said he couldn't find those either.

Dusty also has the title to my car and other personal belongings that I forgot. He said he couldn't find the title. So we left and I got a new # and I am currently living with

6/10-12/12

I left Sunday to go to Springfield, mo for school. I texted him to let him know I was there and made it okay, he called me 2 hrs later and said if I was considerate I would let him know what hotel and room # I was in. So I told him room I was in and we got in without what I'd been talking to and I was acting dirty.

And I told him now. ~~he~~ I said I was ready for bed  
and he said I was trying to avoid ~~to~~ avoid, so he  
called me on the hotel phone 5 min later and said  
I sound too "perry" to be going to bed. And I said  
I'll send you a picture of me laying in the seats. I told him  
to tell I said hi and the next day when I  
talked to him he said I was a bad because  
I said hi instead of wanting to talk  
to him. This went on the whole time I was there.  
I would say he called well over twenty times.  
I told him I want to go to bed and stop calling and  
he just kept calling.

Of the 2 yrs we've been together this is Duvy typical behavior.  
Questioning me, getting angry and punching doors and my  
car dashboard. He is always looking for fights when we go out  
he doesn't want me to talk about our problems with  
family or friends. We had one altercation when I put me  
in a chokehold and threw me to the ground putting holes  
in pantsy hose.

14. Pursuant to section 455.010 to Section 455.085, RSMo, it is requested that the court issue a  Parte Order of Protection restraining Respondent from: (check all that apply)
- abusing, threatening to abuse, molesting or disturbing the peace of Petitioner wherever Petitioner may be found.
  - stalking Petitioner.
  - entering the family home, place of employment or school of Petitioner located at (see notice below) WAIVED, except as specifically authorized by the court.
  - communicating with Petitioner in any manner or through any medium, except as specifically authorized by the court.
  - other: \_\_\_\_\_

15. It is further requested that, upon the hearing of this cause, the court issue an Order of Protection enjoining Respondent from the above acts for such time as is necessary to protect Petitioner and that the court: (one or more may be selected)
- Award custody of the minor child(ren) to  Petitioner  Respondent.
  - Order visitation with the minor child(ren) to  Petitioner  Respondent as follows: \_\_\_\_\_
  - Order  Petitioner  Respondent to pay child support to  Petitioner  Respondent in the amount of \$ \_\_\_\_\_ (check one)  per week  per month.
  - Order  Petitioner  Respondent to pay maintenance to  Petitioner  Respondent in the amount of \$ \_\_\_\_\_ (check one)  per week  per month.
  - Order that Respondent make or continue to make the rent or mortgage payments in the amount of \$ \_\_\_\_\_ on the residence occupied by Petitioner.
  - Order that Respondent pay Petitioner's rent at a residence, other than the residence previously shared with Respondent, in the amount of \$ \_\_\_\_\_.
  - Order that Petitioner be given temporary possession of the following personal property: \_\_\_\_\_
  - Prohibit Respondent from transferring, encumbering, or otherwise disposing of the following property mutually owned or leased with Petitioner: extra set of car keys, title to her car
  - Order Respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior.
  - Order Respondent to pay a reasonable fee for housing and other services provided to Petitioner by a shelter for victims of domestic violence.
  - Order Respondent to pay the cost of medical treatment or services provided to Petitioner as a result of injuries sustained by an act of domestic violence committed by Respondent.
  - Order Respondent to pay court costs.
  - Order Respondent to pay Petitioner's attorneys fees.
  - Order the full order of protection issued for one year be automatically renewed unless Respondent requests a hearing by 30 days prior to the expiration of the order.
  - Other (specify): \_\_\_\_\_

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

13 June 2012  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address (Optional)

\_\_\_\_\_  
City, State and Zip

\_\_\_\_\_  
Telephone

[Signature]  
Attorney's Name, Missouri Bar No., if Applicable VA

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State and Zip

\_\_\_\_\_  
Telephone

**NOTICE:** Section 455.030.3, RSMo, provides that a Petitioner seeking protection under the Adult Abuse Act is not required to reveal any current address or place of residence on this motion. Do not provide this information if doing so will endanger you.

### Definition of Abuse

You are notified that, under section 455.010(1), RSMo, the term "abuse" includes but is not limited to the threat to commit, the attempt to commit and/or the actual commitment of the following acts, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner.

- a. *Assault*: "purposely or knowingly placing or attempting to place another in fear of physical harm";
- b. *Battery*: "purposely or knowingly causing physical harm to another by with or without a deadly weapon";
- c. *Coercion*: "compelling another by force or threat of force to engage in conduct from which the latter has the right to abstain or to abstain from conduct in which the person has a right to engage";
- d. *Harassment*: purposely or knowingly engaging in a "course of conduct" that "alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child." Some examples include:
  - i. "Following another about in a public place";
  - ii. "Peering in the windows of another";
  - iii. "Lingering outside the residence of another".
- e. *Sexual assault*: "causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress";
- f. *Unlawful imprisonment*: "holding, confining, detaining or abducting another against that person's will".

### Definition of Stalking

You are notified that, under section 455.501(13) RSMo, "stalking" occurs when any person purposely and repeatedly engages in an unwanted course of conduct that would cause alarm to a reasonable person. "An unwanted course of conduct" is behavior that serves no legitimate purpose. Such conduct may include following a person or unwanted communication or contact. "Repeated" means two or more incidents that show a continuity of purpose, in other words, that are intended to cause alarm. "Alarm" means to cause fear of danger of physical harm.