

State of Minnesota

County of _____

District Court

Judicial District: _____
Court File Number: _____
Case Type: **Harassment**

In the Matter of:

Petitioner

On behalf of:
Other persons needing protection (first, middle, last)

and for her/himself

vs.

Respondent

**Ex Parte Order Granting
Petition for Harassment
Restraining Order**

Minn. Stat. § 609.748

**Based upon the Petition for a Harassment Restraining Order and other information
provided to the Court, THE COURT FINDS:**

There is an immediate and present danger of harassment to justify temporary relief.

1. There are reasonable grounds to believe that Respondent has engaged in harassment which has or is intended to have a substantial adverse effect on safety, security, or privacy of Petitioner or the minor children or ward(s) of Petitioner by committing the following acts:
 - Physically or sexually assaulted the Petitioner;
 - Followed, monitored, or pursued the Petitioner;
 - Made uninvited visits to the Petitioner;
 - Made harassing phone calls or sent harassing text messages to the Petitioner;
 - Made threats to the Petitioner;

- Frightened Petitioner with threatening behavior;
- Called the Petitioner abusive names;
- Damaged Petitioner's property;
- Broke into and entered the Petitioner's residence;
- Stole property from the Petitioner;
- Took pictures of the Petitioner without permission of the Petitioner;
- Disseminated private sexual images of the Petitioner without permission of the Petitioner;
- Used personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the Petitioner;
- Did acts repeatedly that meet the legal definition of "targeted residential picketing;"
- Attended public events after being notified that Respondent's presence at the events is harassing to Petitioner;
- Used social media to harass Petitioner;
- Other: _____

2. Petitioner requested a court hearing.

IT IS ORDERED:

The request for temporary relief is granted and:

1. Respondent shall not harass Petitioner Petitioner's minor children or ward(s).

The minor children or wards included in this Petition are: _____

a. Respondent shall have no direct or indirect contact with Petitioner Petitioner's minor children or ward(s), including any visits to or phone calls to the protected person(s), contact via electronic means such as email or social networking sites, threats or assaultive behavior to the protected person(s), damaging or stealing property belonging to the protected person(s), breaking into and entering the protected person(s) residence, and/or taking pictures of a protected person without permission of the Petitioner.

- b. The relief granted does not extend to the Petitioner's minor children or ward(s). The relief requested for the Petitioner's minor children or ward(s) is denied because the harassment is not directed against the Petitioner's minor children or ward(s).
- c. Respondent is prohibited from being within _____ of Petitioner's home at: _____
 Except as follows: _____
- d. Petitioner's address is confidential. If Respondent knows or learns of Petitioner's address, Respondent is prohibited from being within _____ of Petitioner's home.
- e. Respondent is prohibited from being within _____ of Petitioner's job site at: _____
 Except as follows: _____
- f. Other: _____

2. Any requested relief that is not specifically listed above is denied.
3. This Restraining Order shall remain in effect until _____, unless changed by a later court order. **Respondent can ask the court to change or vacate the Harassment Restraining Order by filing a Request for Hearing (HAR301) within 20 days of the date of service of the petition.**
4. A hearing will be held on _____ at ____ o'clock ____ .m. at _____.

The hearing is scheduled because Petitioner requested a hearing Petitioner requested a restraining order for longer than 2 years and the court wants more information about the need for a longer restraining order.

Respondent shall appear personally in Court for the hearing and explain why the requests made in the Petition should not be granted. Petitioner shall appear personally in Court for the hearing and provide proof that the statements in the Petition are true and that Respondent's actions are harassment.

5. Court Administration shall send a copy of this Order to law enforcement agencies with authority over the residence of the Petitioner. **Every police department and sheriff's office in the United States, include those affiliated with tribal and territorial lands is responsible for enforcing this Order under 18 U.S.C. § 2265 Full Faith and Credit of Protective Orders.**
6. If Respondent is an organization, this order shall / shall not apply to all members of the organization.
7. Other: _____

8. It is not a violation of this order if the parties pursue or participate in voluntary mediation through court approved mediation programs. The party wanting to mediate must contact the mediation program directly to arrange it. They may not contact the other party directly or through friends or relatives. The mediation programs will determine if mediation is acceptable under Minnesota mediation guidelines (Minn. Stat. § 494.03 and Minn. Gen. R. Prac. 114).
9. The sheriff of any county in the State of Minnesota, or any peace officer, shall perform the duties relating to serving this Order without charge to Petitioner.
10. Respondent is restrained from harassing, stalking, or threatening the protected person(s), or engaging in other conduct that would place the protected person(s) in reasonable fear of bodily injury to that person; and is prohibited from the use, attempted use, or threatened use of physical force against the protected person(s) that would reasonably be expected to cause bodily injury. 18 U.S.C. § 922(g)(8)(B) and (C).

NOTICE

If a hearing is scheduled and Respondent does not attend the hearing, a Harassment Restraining Order may be granted. Failure of Respondent to appear WILL NOT be a defense to criminal charges against Respondent for violation of any part of this Order. If Petitioner does not attend the hearing this case may be dismissed.

Any conduct by the Respondent in violation of the specific provisions provided in the "It Is Ordered" section above constitutes a violation of this Harassment Restraining Order. A police officer shall arrest the Respondent without warrant and take the Respondent to jail if the police officer believes the Respondent has violated this Order, and shall hold the Respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the

Respondent is released by a judicial officer.

Violation of this Harassment Restraining Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a fine of \$1000.00. Some repeat violations are gross misdemeanors that may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies that may result in a sentence of imprisonment for up to five years and/or a fine of \$10,000.00.

Federal law may prohibit shipping, transporting, possessing or receiving firearms or ammunition while this order is in effect. 18 U.S.C. § 922(g)(8).

Dated: _____

Referee of District Court

Dated: _____

Judge of District Court

Distribution

_____ Copy for Petitioner
_____ Copy for local police department
_____ Other: _____

_____ Copy for Respondent
_____ Copy for Sheriff