

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT

_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Name of person filing for protection order)
)
vs.)
)
Respondent: _____ .)
Name of person you want to be protected from)

Case Number _____

DOMESTIC VIOLENCE ORDER OF PROTECTION

PETITIONER NAME

First Middle Last

PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

RESPONDENT NAME

First Middle Last

Respondent's Physical Address:

Respondent's Mailing Address:

RESPONDENT IDENTIFIERS

| SEX | RACE | DOB | HT | WT |
|---------------------------|------|-----------------------------|---|----|
| | | | | |
| EYES | | HAIR | | |
| | | | | |
| Drivers License NUMBER | | Drivers License STATE | Drivers License Exp. Date | |
| | | | | |
| VEHICLE MAKE/MODEL | | COLOR | LICENSE PLATE State and Number | |
| | | | | |
| EMPLOYMENT | | | | |
| | | | | |

CAUTION:

Firearms Involved

☐

Firearms on
Property

☐

Additional Information (for example, other names used,
tattoos, scars):

When Does This **ORDER EXPIRE**:

This Order shall be in effect until and will expire at 12:01 a.m. on the _____ day of _____, 20_____, unless extended by order of the Court.

THIS MATTER was heard on _____, 20_____. These parties were present:

PETITIONER

_____ **Appeared in person**

_____ **Appeared remotely**

_____ Attorney

RESPONDENT

_____ **Appeared in person**

_____ **Appeared remotely**

_____ **Did not appear and was given proper notice**

_____ Attorney

THE COURT FINDS:

- ☐ Petitioner and Respondent are married to each other.
- ☐ Petitioner and Respondent are living together as if married.
- ☐ Petitioner and Respondent were formerly married to each other.
- ☐ Petitioner and Respondent formerly lived together as if married.
- ☐ Petitioner is the parent of Respondent.
- ☐ Petitioner is 16 years old or older and sharing common living quarters with Respondent.
- ☐ Petitioner and Respondent are parents of a child(ren) and are not living together.
- ☐ Petitioner is 16 years old or older, and Respondent is Petitioner's parent.
- ☐ Petitioner and Respondent are in a dating relationship.
- ☐ Petitioner and Respondent have previously been in a dating relationship.

THE COURT FURTHER FINDS:

- ☐ The Respondent has stipulated that an act of domestic abuse as defined by W.S. 35-21-102(a)(iii) has occurred.
- ☐ Based upon the foregoing stipulation, the Court finds that the Respondent has committed an act of domestic abuse as defined by W.S. 35-21-102(a)(iii).
- ☐ The Respondent stipulates that the Court may exercise jurisdiction over him/her under the Domestic Violence Protection Act even though the Respondent may dispute that he/she has committed an act of domestic abuse against the Petitioner. W.S. 35-21-101 to 112.
- ☐ After having heard the evidence, the Court finds that an act of domestic abuse as defined by W.S. 35-21-102(a)(iii) has occurred.
- ☐ This Court has jurisdiction over the parties and subject matter of this action.

IT IS ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☒ Respondent is ordered not to commit any of the following acts: (A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts that unreasonably restrain the personal liberty of the Petitioner; (B) Placing the Petitioner in reasonable fear of imminent physical harm; or (C) Causing the Petitioner to engage involuntarily in sexual activity by force, threat of force, or duress.
2. ☒ Respondent is ordered not to initiate contact with Petitioner anywhere either directly or indirectly, including, but not limited to, communication verbally in person, communication by telephone or other electronic means, written communication in any form, communication through third persons, and nonverbal communication and gestures. Prohibited contact under this paragraph includes telephone calls, mail, e-mail, texting, fax, contacting through social media, contacting through the internet or similar technology, and any other form of communication.
3. ☒ Respondent is ordered not to be at Petitioner's place of employment or Petitioner's residence. Respondent is ordered to stay far enough away from those places to avoid upsetting the life of Petitioner.
4. ☒ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner.
5. ☒ Respondent is ordered to provide the Court with a current mailing address. While this Order is in effect, Respondent must promptly inform the Court in writing if that mailing address changes. Mailing of appropriate documents (for example: modification, termination or extension of this Order) to the most recent mailing address provided to the Court by Respondent shall be considered service upon Respondent.
6. ☐ Petitioner is granted sole possession of the following residence during the period this Order is in effect. Respondent is ordered to vacate the residence immediately. Respondent is prohibited from entering or being at Petitioner's residence at:

7. ☐ Petitioner is awarded temporary custody of the following child(ren). Respondent is prohibited from taking any of the children away, and Respondent is prohibited from hiding any of the children.

8. ☐ Respondent is provided reasonable visitation rights with the above-named child(ren) as follows:

9. ☐ **If custody/visitation in this Order modifies a previous custody/visitation order, this Order shall remain effective only until the parties revisit the issue in the original Court, subject to the following:**

10. ☐ Respondent is ordered to pay to Petitioner temporary child support in the amount of \$_____ per month, beginning on _____ and to be paid on the _____ day of each month thereafter. Payments are to be made to the Circuit Court. This child support obligation will cease when this protection order expires.

11. ☐ Respondent is ordered to pay medical costs incurred by Petitioner as a result of the abuse reflected herein in the amount of \$_____. Payment shall be made as follows:

12. ☐ While this Order is in effect, the Petitioner is Granted sole possession of the following household pets (name and description): _____

(Household pet is defined in W.S. 6-3-1001(a)(ii). This does not include livestock as defined in W.S. 23-1-102(a)(xvi).)

The Respondent shall not kill, physically injure, or threaten to kill or injure a household pet that is:

- ☐ a. Owned or kept by Petitioner.
☐ b. Owned or kept by the Respondent.

13. ☐ Respondent is prohibited from giving away, selling, hiding, encumbering (for example, pawning, taking a loan against), or otherwise getting rid of Petitioner's property or the joint property of the parties. This Order shall not affect title to any property, and this Order does not allow the Petitioner to give away, sell, hide, encumber (for example, pawn, take a loan against), or otherwise get rid of Respondent's property or the joint property of the parties.

14. ☐ Respondent may retrieve personal belongings from the residence located at _____

This retrieval shall occur on _____, 20____ between _____ a.m./p.m. and _____ a.m./p.m.

☐ Respondent shall be accompanied by law enforcement.

☐ Respondent's belongings may be retrieved from the residence located at: _____ (address)

by the 3rd party _____ (name) on _____, 20____,
between _____ a.m./p.m. and _____ a.m./p.m.

☐ The 3rd party shall be accompanied by law enforcement.

15. ☐ Respondent is ordered to undergo counseling as follows:

16. ☐ Respondent is ordered not to possess firearms or ammunition.

17. ☐ A separate "Order for Transfer of Mobile Number Use and Financial Responsibility" shall be signed and appended hereto, which orders Respondent's commercial mobile services provider (as defined in 47 U.S.C. sec. 332 (d) and W.S. 35-21-1058(a)(viii)) to transfer to the Petitioner the sole right to use and sole financial responsibility for the mobile telephone number(s) used by the Petitioner or a minor child in the Petitioner's custody, and to terminate in the provider's system Respondent's ability to use and to access any data associated with the mobile telephone number(s).

18. ☐ Other:

Pursuant to the UCCJEA, if this Order involves custody and/or support of a minor child, the Circuit Court may inform any court that has already issued a relevant custody and/or support determination of this Order.

The Court Orders the Parties to Take Notice of the Following:

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to domestic violence protection orders to possess, ship, use, or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8).

This Order shall be filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides. The Order shall be personally served upon the Respondent, unless the Respondent or the Respondent's attorney was present in person or by remote means when the Order was granted.

This Order applies to the Respondent immediately upon service and shall remain in full force and effect until the expiration date of the Order or until it is modified or terminated by this Court.

If the Respondent named on this Order is incarcerated or imprisoned, for any reason, while the Order is in effect, the effective time of the Order will toll. The Order will be in effect longer based on the date when the Respondent is released. W.S. 35-21-106(b)(ii). The parties are encouraged to file a Notice of Incarceration or Imprisonment to notify the Court of the jail/prison time and receive an Order stating the new expiration date.

W.S. 35-21-106(b)(ii): "If a party subject to an order of protection is sentenced and incarcerated or becomes imprisoned the running of the time remaining for the order of protection shall be tolled during the term of incarceration or imprisonment. The conditions and provisions of an order of protection shall remain in effect during any period of tolling under this paragraph. Upon release from incarceration or imprisonment the effective period of the order of protection shall be the amount of time remaining as of the first day of the term of incarceration or imprisonment or one year from the date of release, whichever is greater."

The Order of Protection remains in effect and must be followed during an appeal or review. The only exception is if the Court issues a stay to put the Order on hold while the appeal or review is ongoing.

W.S. 35-21-106(f): "An order of protection granted under this act shall remain effective during the pendency of any appeal or review of the order of protection or any decision to modify or extend the order of protection, unless a court orders a stay during the pendency of the appeal or review."

Interstate violation of this Order may subject the Respondent to federal criminal penalties. 18 U.S.C. §§ 2261, 2261 (A) and 2262.

This protection order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories, and is issued to prevent violent or threatening acts by the Respondent against the Petitioner. 18 U.S.C. § 2265.

WARNING: The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this warning. If you want to modify or dismiss the Order, you must ask the Court. Only the Court can change this Order.

Willful violation of any provision of this Order of Protection constitutes a crime, as defined by W.S. 6-4-404. Violation can result in immediate arrest, and may result in further punishment.

Case Number _____

A violation of this Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b) may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2-506(e).

DATED this _____ day of _____, 20____.

BY THE COURT

JUDGE OR MAGISTRATE

ACCEPTANCE OF SERVICE

I, _____, Respondent in this action, voluntarily accept service of this Order of Protection, and acknowledge that I have received a true copy thereof this _____ day of _____, 20 ____.

RESPONDENT