

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____	:	
Petitioner,	:	Civil Action File
v.	:	
	:	
_____	:	No. _____
Respondent.	:	

STALKING THREE YEAR/PERMANENT PROTECTIVE ORDER

A civil hearing was held on this matter on _____, 20____ at which the Respondent appeared and/or was provided with the opportunity to be heard and the Petitioner requested, pursuant to O.C.G.A. §§ 16-5-94 (e) and 19-13-4 (c), that a permanent Protective Order be issued. Having heard the evidence presented, reviewed the petition and the record concerning this case and for good cause shown, IT IS HEREBY ORDERED AND ADJUDGED:

- 1. The Respondent has knowingly and willfully violated O.C.G.A. §§ 16-5-90 *et seq.* and placed the Petitioner in reasonable fear for the Petitioner’s safety, because

[pco01,02]

Respondent is hereby enjoined and restrained from doing or attempting to do, or threatening to do any act constituting a violation of O.C.G.A. §§ 16-5-90 *et seq.* and of harassing, interfering, or intimidating the Petitioner or Petitioner’s immediate family. Any future acts committed by the Respondent towards the Petitioner which are in violation of this statute and this Protective Order can amount to AGGRAVATED STALKING, pursuant to O.C.G.A. § 16-5-91, which is a felony. A person convicted of Aggravated Stalking shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00.

- 2. Respondent is permanently enjoined and restrained from approaching within _____ yards of Petitioner and/or Petitioner’s immediate family, and/or residence, place of employment, or school or subsequent residence, place of employment or school.
- 3. Respondent is not to have any contact of any type, direct, indirect, or through another person with the Petitioner or her/his immediate family, including but not limited to telephone, fax, e-mail, voice mail, mail, or any other type of contact.
- 4. That this order be filed in the office of the Clerk of this Court.

[pco05]

5. This Order shall remain in effect permanently and shall not terminate unless modified by the Court; OR

This Order shall be in effect for three (3) years and shall expire on _____, 20____ .

6. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law Enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.

7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Respondent received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY the following that are initialed by the JUDGE shall apply:

___ 8. Respondent is to receive appropriate psychiatric or psychological services.

___ 9. Petitioner is awarded costs and attorney fees in the amount of _____.

___ 10. Petitioner/protected party is either a spouse, former spouse, parent of a common child, child of Petitioner, child of Respondent, cohabitates or has cohabited with Respondent and qualifies for 18 U.S.C. § 922(g)

SO ORDERED this _____ day of _____, 20_____.

JUDGE, SUPERIOR COURT
_____ County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO RESPONDENT

- 1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.
- 2. This Order shall remain in effect unless specifically superceded by a subsequent signed and filed Order, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.
- 3. If after a hearing, of which the Defendant received notice and opportunity to participate, a protective order is issued which restrains Defendant from harassing, stalking or threatening an intimate partner, Defendant is prohibited from possessing, receiving, or transporting a firearm or ammunition which has been shipped or transported in interstate or foreign commerce for the duration of the Order. 18 U.S.C. § 922(g).
- 4. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts Petitioner on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.

RESPONDENT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth OR social security number)

Respondent's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag number _____ and has a _____ (state) driver's license number _____. Respondent's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____.

PETITIONER'S IDENTIFYING INFORMATION

Protected parties _____ DOB _____ sex _____ race _____
 _____ DOB _____ sex _____ race _____
 _____ DOB _____ sex _____ race _____
 _____ DOB _____ sex _____ race _____

TRANSMITTED TO GEORGIA PROTECTIVE ORDER REGISTRY DATE _____ CLERK _____

*** REMOVE THIS PAGE FROM ORDER ***

Pursuant to O.C.G.A. Section 19-13-3,
Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.