

00-587-CD
DORIS ELAINE ZEMBA -vs- JOSEPH BRIAN ZEMBA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

ORIGINAL

22) Doris Elaine Zemba
PLAINTIFF

vs.

584
NO. 2000 - - C.D.

52) Joseph Brian Zemba
DEFENDANT

FILED

MAY 18 2000

William A. Shaw
Prothonotary

NOTICE TO DEFEND

YOU HAVE BEEN ORDERED TO APPEAR IN COURT. If you do not appear at the Hearing, the relief requested by the Plaintiff may be granted in your absence and you may lose money or property rights or other rights important to you or a BENCH WARRANT may be issued directing the Sheriff to arrest and bring you to Court. Attached is a copy of the Petition which indicates the relief the Plaintiff is requesting. Also, included in the Petition are the Plaintiff's reasons for this request. Any Protection Order granted by a Court may be considered in subsequent proceedings under Title 23 of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53.

You MUST obey the Order which is attached. If you disobey this Order, the police may arrest you. Under federal law, this Order is enforceable anywhere in the United states, and any violation of this Order in another state will result in federal proceedings against you. In addition, if you are subject to a FINAL PROTECTION ORDER, federal law will prohibit you from possessing, transporting, or accepting a firearm.

Attached you will find a copy of the TEMPORARY ORDER issued in this case. You MUST obey this Order until further Order of this Court. Failure to obey the TEMPORARY ORDER may result in your arrest by the police or Sheriff's Office. You will also be subject to the penalties of Indirect Criminal Contempt.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY OF YOUR CHOICE; HOWEVER, EVEN IF YOU DO NOT HAVE AN ATTORNEY YOU MUST APPEAR AT THE HEARING. IF YOU NEED HELP IN LOCATING AN ATTORNEY, PLEASE CONTACT:

OFFICE OF THE COURT ADMINISTRATOR
230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641, EXTENSION 5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

Doris Elaine Zemba
PLAINTIFF

vs.

:
:
:
:
: NO. 2000 - 587 - C.D.

Joseph Brian Zemba
DEFENDANT

PRO SE FORM

PETITION FOR PROTECTION FROM ABUSE

1. My name is Doris Zemba

I am filing this Petition on behalf of: Myself and/or Another Person(s). If you checked "Myself", please answer all questions referring to yourself as "Plaintiff". If you checked "Another Person(s)", please answer all questions referring to that person as the "Plaintiff", and provide your address here, unless confidential:

If you checked "Another Person(s)", also indicate your relationship with Plaintiff:

- parent of minor plaintiff(s)
 adult household member with minor plaintiff(s)
 guardian ad litem of minor plaintiff(s)
 court appointed guardian of incompetent plaintiff(s)

2. My residence which is located at a confidential address within this county, said address to be kept confidential for my protection.

My address (which is not confidential) is: RR#3 Box 547

Cumenville Pa 16833
(street address)

Pike Township
(city/township)

Clearfield
(county)

3. The person I am filing this Petition against is the Defendant, who resides at:

RR#3 Box 547 Cumenville Pa 16833, Pike Township Clearfield
(street address) (city/township) (county)

Defendant's date of birth: 11/15/58 and Social Security No. 190-50-6755

Check here if Defendant is 17 years old or younger.

4. The Defendant's relationship to me is: Husband

5. I wish the Defendant to be excluded from the following residence:

My residence of which the address is as listed above under question number '2'.
 My residence of which the address is confidential.

Residence is owned by: Joseph B & Doris C Zemba

Residence is rented by: _____

6. Plaintiff and Defendant are the natural/adoptive parents of the following child(ren):

Name	Brian Allen Zemba	D.O.B.	2 / 8 / 92
Name	Jacobs Andrew Zemba	D.O.B.	8 / 8 / 93
Name		D.O.B.	_____ / _____ / _____
Name		D.O.B.	_____ / _____ / _____

7. The facts of the most recent incident of abuse towards me [and the minor child(ren)] are as follows:

Date: 5/17/2000

Time: 8:45 P.m.

Location: At home

Describe in detail what happened, including any physical or sexual abuse, threat, injury, or incident of stalking:

He was fighting with my youngest son. When I tried to stop him he began pushing me, hitting me in the head, the face & over the body. He threatened to kill me. Said he hates me & wants me dead. He choked me. He called me names. I fear for my safety & the safety of my children. I feel he is unstable & I can't trust him. He stopped after my kids got in between us. Then he went outside.

8. The Defendant has committed prior acts of abuse against me, my minor child(ren), or the Plaintiff (if I am filing on behalf of someone else). List examples of such abuse, including any threats, injuries, or incidents of stalking, and state when such acts of abuse occurred:

- A. Everyday occurrence of name-calling. Continually threatens to kill me. Over the past four years I've dealt with beatings, derogatory remarks, threats, name-calling. not uncommon for him to trash the house, punch holes in the wall, clear off counter-tops, go into fits of rage. He throws things at me &
- B. chores or.
- C. The children live in fear / my oldest son will step in to stop fighting.
- D. _____

9. The Defendant has used or threatened to use the following weapon(s) against Plaintiff or the minor child(ren) listed above:

None

10. If Plaintiff and Defendant are parents of any minor child(ren), is there an existing Court Order regarding their custody? _____. Who has primary physical custody under that Order? _____.

11. Have you and the Defendant been involved in any of the following court actions? (If you are filing this Petition on behalf of another person, please answer this and all questions using that person as Plaintiff.)

Divorce Custody Support Protection From Abuse

If you checked any of the above, briefly indicate when and where the case was filed and the Court Number, if known:

Keystone Legal - is to handle PFA + Custody

12. Defendant owes a duty of support to Plaintiff and/or the minor child(ren).

13. As a result of the abuse described above, I have suffered financial losses.

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (check forms of relief requested):

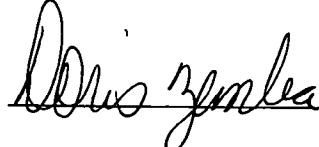
- Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child(ren) in any place where they may be found.
- Evict/exclude Defendant from Plaintiff's residence and prevent Defendant from living at or attempting to enter any temporary or permanent residence of the Plaintiff.
- Require Defendant to provide Plaintiff and/or minor children with other suitable housing.
- Award Plaintiff temporary custody of the minor child(ren) and place appropriate restrictions on contact between Defendant and the child(ren).
- Prohibit Defendant from having any contact with Plaintiff and/or the minor child(ren), either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.
- Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this Petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor children.
- Order Defendant to temporarily relinquish weapons to the Sheriff of this County and prohibit Defendant from transferring, acquiring or possessing any such weapons for the duration of the Order.
- Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the abuse, to be determined at the hearing.
- Order Defendant to pay the costs of this action, including filing and service fees.
- Order Defendant to pay Plaintiff's reasonable attorney's fees.
- Grant such other relief as the Court deems appropriate.
- Order the police or other law enforcement agency to serve Defendant with a copy of this Petition, any Order issued, and the Order for hearing. I will inform the police of any addresses, other than Defendant's residence, where he or she can be served.

VERIFICATION

I verify that I am the Petitioner in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge, information, and/or belief.

I understand that any false statements are made subject to the penalties of 18 Pa. C.S. Section 4094, relating to Unsworn Falsification to Authorities.

Date: 05/18/00



PETITIONER

THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

Karen Elaine Gembal
PLAINTIFF

vs.

Joseph Brian Gembal
DEFENDANT

(d.o.b. November 15, 1958)

(S.S.# 190-50-6755)

NO. 2000 - 587 - C.D. (PNO)

TEMPORARY PROTECTION FROM ABUSE ORDER

AND NOW, this 18 day of May, 2000, (ISD) upon consideration of the attached Petition for Protection From Abuse, the Court hereby enters the following TEMPORARY ORDER:

- (X) 1. The Defendant shall refrain from *abusing, harassing, and threatening* the Plaintiff and the minor child(ren) or placing her/him/them in fear of abuse in any place where she/he/they may be found.
- () 2. Defendant shall not threaten or harass a member of the Plaintiff's family or household.
- (✓) 3. Plaintiff is granted exclusive possession of the residence where she/he resides which is located at:

[✓] RR#3 Box 547 Cummerville Pike Township

[] a confidential location, and any subsequent address in which Plaintiff resides during pendency of this Order.

- (✓) 4. Defendant is prohibited from having any contact with Plaintiff or any other person protected under this Order, at any location, including but not limited to any contact at Plaintiff's school, business, or place of employment.
- (✓) 5. Defendant is restrained from making any communication with the Plaintiff or any other person protected under this Order, including but not limited to, personal, written or telephone contact, or others with whom the communication would be likely to cause annoyance or alarm the Plaintiff.

- (6. Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child(ren):

Briana Allen Zemba and Jacob Andrew Zemba

The local law enforcement agency in the jurisdiction where the child(ren) are located shall ensure that the child(ren) are placed in the care and control of the Plaintiff in accordance with the terms of this Order.

- (7. Defendant is prohibited from possessing and/or purchasing a firearm or other weapon. Defendant shall immediately relinquish the following weapons to the local law enforcement agency for delivery to the Sheriff's Office:

(8. The following additional relief is granted: Hearing Officer To Consider custody issues

- (9. A COPY OF THIS ORDER SHALL BE SERVED ON THE LAW ENFORCEMENT AGENCY WHERE PLAINTIFF RESIDES AND ANY OTHER AGENCY SPECIFIED HEREAFTER:

- (10. THIS ORDER SUPERSEDES [] ANY PRIOR PFA ORDER AND [] ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

- (11. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING. (EXP)

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this Order may result in arrest for Indirect Criminal Contempt, which is punishable by a fine of up to \$1,000.00 and/or up to six months in jail. 23 Pa.C.S. Section 6114. Consent of the Plaintiff to Defendant's return to the residence shall not invalidate this Order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S. Section 6113. Defendant is further notified that violation of this Order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. Sections 2261-2262.

NOTICE TO LAW ENFORCEMENT OFFICIALS

THIS ORDER SHALL BE ENFORCED BY THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE 'OR' ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS 'OR' WHERE THE DEFENDANT MAY BE LOCATED. IF DEFENDANT VIOLATES ANY PROVISIONS OF THIS ORDER, DEFENDANT SHALL BE ARRESTED ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT. AN ARREST FOR VIOLATION OF THIS ORDER MAY BE MADE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, WHETHER OR NOT THE VIOLATION IS COMMITTED IN THE PRESENCE OF LAW ENFORCEMENT.

SUBSEQUENT TO AN ARREST, THE LAW ENFORCEMENT OFFICER SHALL SEIZE ALL WEAPONS USED OR THREATENED TO BE USED DURING THE VIOLATION OF THIS ORDER 'OR' DURING PRIOR INCIDENTS OF ABUSE. WEAPONS MUST FORTHWITH BE DELIVERED TO THE SHERIFF'S OFFICE OF THE COUNTY WHICH ISSUED THIS ORDER, WHICH OFFICE SHALL MAINTAIN POSSESSION OF THE WEAPONS UNTIL FURTHER ORDER OF THIS COURT, UNLESS THE WEAPON(S) ARE EVIDENCE OF A CRIME, IN WHICH CASE, THEY SHALL REMAIN WITH THE LAW ENFORCEMENT AGENCY WHOSE OFFICER MADE THE ARREST.

(x) 12. Hearing on this Petition is scheduled for the 30th day of May, 2000 at 10:00 am before Hearing Officer Warren B. Mikesell, II, Esquire, third floor, Clearfield County Courthouse Annex, Domestic Relations Office Conference Room, Clearfield, Pennsylvania.

Please note: The only persons permitted to attend this hearing are the Plaintiff, Defendant and any witness(es) which Plaintiff and/or Defendant have requested to be present. All other persons will be asked to leave, but are permitted to wait on the first floor of the Courthouse Annex for the hearing to end. The hearing is scheduled for one (1) hour only.

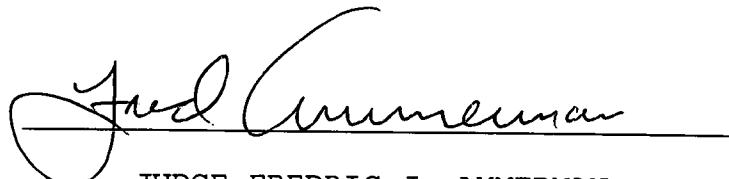
Absolutely no continuances of the hearing shall be granted unless by Order of Court. The Hearing Officer shall not continue any hearing due to either party's request for counsel as neither party has an absolute right to be represented by counsel in civil Protection From Abuse proceedings.

(x) 13. **THE PLAINTIFF AND DEFENDANT ARE HEREBY DIRECTED TO PROVIDE TO THE HEARING OFFICER AT THE HEARING A CURRENT PHOTOGRAPH OF THEMSELVES.**

If the Plaintiff fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Plaintiff is advised that filing fee and costs may be assessed against the Plaintiff and that the action may automatically be dismissed.

If the Defendant fails to appear for the hearing as set forth in Paragraph 12 above or any subsequent Protection From Abuse hearing, the Defendant is advised that filing fee and costs may be assessed against the Defendant in addition to the entry of an Order.

BY THE COURT



JUDGE FREDRIC J. AMMERMAN

FILED

APR 18 2000

015611ccfax PSP

William A. Shaw

Prothonotary

Acc Shrd

Acc Plb.

Acc Hrgs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ZEMBA, DORIS E.

00-587-CD

VS

ZEMBA, JOSEPH B.

PROTECTION FROM ABUSE

SHERIFF RETURNS

NOW MAY 18, 2000 AT 2:45 PM DST SERVED THE WITHIN PFA ON
 JOSEPH B. ZEMBA, DEFENDANT AT RESIDENCE, RD#3 BOX 547,
 CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
 JOSEPH B. ZEMBA, DEFENDANT A TRUE AND ATTESTED COPY OF THE
 ORIGINAL PFA AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
 SERVED BY: MCINTOSH/SNYDER.

22.00 SHFF. HAWKINS (COSTS DUE)
 10.00 SURCHARGE (COSTS DUE)

SWORN TO BEFORE ME THIS

23rd DAY OF May 2000
William Shaw

WILLIAM A. SHAW
 Prothonotary
 My Commission Expires
 1st Monday in Jan. 2002
 Clearfield Co., Clearfield, PA.

SO ANSWERS,

Chester A. Hawkins
by Maelys Harr

CHESTER A. HAWKINS
 SHERIFF

FILED

MAY 23 2000
 01048
 William A. Shaw
 Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

(3)

Doris Elaine Zemba,
Plaintiff

vs.

No. 90 - 587 - C.D.
PROTECTION FROM ABUSE

Joseph Brian Zemba,
Defendant

ENTRY OF APPEARANCE

Please enter my appearance on behalf of Doris Elaine Zemba,
the Plaintiff/Defendant in the above captioned case.

Keystone Legal Services



STEPHEN FLEMING, ATTORNEY

2054 E College Ave
ADDRESS

STATE College PA 16801

PHONE
814 / 238-4958

FILED

MAY 30 2000

William A. Shaw
Prothonotary

FILED

MAY 30 2000
O/A/501 NOCC
William A. Shaw
Prothonotary
Feds

GRJ/PR

06/01/00

2000-10000
-160-00

(4)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DORIS ELAINE ZEMBA,
Plaintiff

VS.

NO. 2000-587-C.D.

JOSEPH BRIAN ZEMBA,
Defendant

FILED

MAY 30 2000

William A. Shaw
Prothonotary

PROTECTION FROM ABUSE FINAL ORDER OF COURT

Plaintiff's Address: R.R. #3 Box 597, Curwensville, PA 16833

Plaintiff's Social Security Number: 170-66-8246

Plaintiff's Date of Birth: November 15, 1970

Counsel of Record for Plaintiff: Stephen Fleming, Esq. Keystone Legal Services

Defendant's Address: R.R. #3 Box 583, Curwensville PA 16833

Defendant's Social Security Number: 190-50-6755

Defendant's Date of Birth: November 15, 1958

Counsel of Record for Defendant: N/A

Names of ALL PROTECTED PERSONS:

None

AND NOW, this 30th day of May, 2000, an action under the Protection From Abuse Statute having been filed by the Plaintiff; the Petition and Notice of said Hearing having been served on the Defendant by the Clearfield County Sheriff's Office on or about May 18, 2000;

Plaintiff having appeared or having failed to appear;
Defendant having appeared or having failed to appear;
 following a full Hearing or
 by Consent Order - *without determination of facts on the underlying complaint*;

upon consideration of the Petition in the above-captioned case, the following Order is Issued:

- Plaintiff's** request for a Final Protection Order is DENIED; or
 Plaintiff's request for a Final Protection Order is GRANTED subject to the following terms and conditions:

1. Except as otherwise provided in Paragraph 2, the **Defendant** is:

- 01 a. Directed to refrain from abusing, harassing, threatening or stalking **Plaintiff** or the minor child(ren) named as Protected Persons above.
- 02 b. Directed to refrain from threatening any member of **Plaintiff's** immediate family or household.
- 03 c. **Defendant** is completely excluded from the residence located at:

or any other residence where **Plaintiff** may live. Exclusive possession of the residence is granted to **Plaintiff**; **Defendant** shall have no right or privilege to enter or be present on the premises.

- 04 d. **Defendant** is prohibited from entering the residence, place of employment, business or school of the **Plaintiff** and/or the minor child(ren).
Name(s) of Plaintiff and/or minor children is/are listed on Page 1 of this Final Order under ALL PROTECTED PERSONS.
- 05 e. **Defendant** is prohibited from having ANY CONTACT with:
Plaintiff, , or
Plaintiff's minor child(ren) _____

Contact with the **Plaintiff** and/or the minor child(ren) herein listed shall include, but not be limited to, personal, written and/or telephone contact.

2. Temporary custody of the below named child(ren) is awarded to:

- a. The **Plaintiff**
 b. The **Defendant**

The child(ren)'s name(s) is/are:

until final Order of Court or as per Addendum "A" attached to this Order.

Visitation shall be as per Addendum "A", and/or: _____

07 3. Defendant shall immediately turn over to the local law enforcement agency, or deliver to the Sheriff's Office, any and all weapons used or threatened to be used by Defendant in an act of abuse against Plaintiff and/or the minor child(ren). Defendant is prohibited from acquiring or possessing any other like or similar weapons for the duration of this Order.

08 4. The Plaintiff/Defendant is/are ORDERED to provide the following additional relief:

08 5. The Plaintiff/Defendant is ORDERED to permit the Plaintiff/Defendant to return to the Plaintiff's/Defendant's residence, as herein described, on _____, 2000, between ____:____ a.m./p.m. and ____:____ a.m./p.m. for the sole purpose of permitting the Plaintiff/Defendant to retrieve items of personal property belonging to Plaintiff/Defendant. Any items of personal property in dispute as to ownership shall remain at the Plaintiff's/Defendant's residence until the Court of proper jurisdiction shall have determined its rightful owner. There shall be no conversation as to the basis or circumstances surrounding this Order or the nature of the Plaintiff and Defendant's broken relationship.

6. Defendant shall pay \$ _____ to Plaintiff as compensation for Plaintiff's losses, which are as follows:

7. The Plaintiff/Defendant shall provide the Clearfield County Prothonotary a recent photograph of herself/himself within fifteen (15) days of this Order.
8. The **PLAINTIFF/DEFENDANT** shall pay the costs and fees of this suit within ~~NO LATER THAN 12:00 O'CLOCK ON FRIDAY, JUNE 9, 2000~~ ~~45~~ days of the date of this Order to the Clearfield County Protection From Abuse Coordinator's Office located on the second floor in the Annex of the Clearfield County Courthouse (230 East Market Street, Clearfield, PA 16830):

Prothonotary's Office..... filing fee: \$ 80.00
Prothonotary's Office..... state assessment fee: \$ 0.00
Sheriff's Office..... service fee: \$ 32.00
Hearing Officer..... fee: \$ 40.00
Hearing Officer..... costs: \$ 20.00
Administrative..... costs: \$ 10.00
Additional Relief..... (see Paragraph 7): \$ _____
Other..... costs: \$ _____

TOTAL AMOUNT DUE: \$ 182 .00

PLEASE SUBMIT A MONEY ORDER MADE PAYABLE TO "PROTHONOTARY'S OFFICE" AS PAYMENT. NO OTHER FORM OF PAYMENT WILL BE ACCEPTED BY THE COORDINATOR.

PLAINTIFF'S share of fees and costs: 100 % / \$ 182 .00.

DEFENDANT'S share of fees and costs: 0 % / \$ 0 .00.

ALL COSTS PERTAINING TO THIS ACTION MUST BE PAID WITHIN THE FORTY-FIVE (45) DAY PERIOD. FAILURE TO COMPLY WITH THIS PROVISION OF THIS 'FINAL ORDER' WILL RESULT IN THE RESPONSIBLE PARTY BEING IN CONTEMPT AND IN THE AUTOMATIC ISSUANCE OF A BENCH WARRANT FOR THAT PARTY'S ARREST WITHOUT FURTHER NOTICE OR HEARING. THERE WILL BE ADDITIONAL COSTS ASSIGNED ONCE THE BENCH WARRANT HAS BEEN ISSUED AND THE RESPONSIBLE PARTY WILL BE OBLIGED TO PAY ANY AND ALL ADDITIONAL COSTS RELATED THERETO.

The **PLAINTIFF/DEFENDANT** shall **ALSO** be responsible for payment of all service fees registered with the Prothonotary's Office within thirty (30) days of the date of this Order. Payment shall be made directly to the Protection From Abuse Coordinator within the 45 day payment period.

9. In the event either party shall relocate or have a change of address, the said party shall immediately, in writing, notify the Court of same. Said writing shall contain the new address and shall reference the caption in this matter. All mail shall be addressed to the Protection From Abuse Coordinator, 230 East Market Street, Clearfield, Pennsylvania 16830.
10. BRADY INDICATOR. YES response NO response
- a. The **Plaintiff** or protected person(s) is a spouse, former spouse, a person who cohabits or has cohabited with the **Defendant**, a parent or a common child, a child of that person, or a child of the **Defendant**.
- b. This Order is being entered either in lieu of a full hearing and by consent of both parties, OR following a full hearing during which the **Defendant** was present and had an opportunity to be heard or of which the **Defendant** received actual notice thereof and failed to appear.
- c. Paragraph 1(a) of this Order has been checked to restrain the **Defendant** from harassing, stalking, or threatening the Plaintiff or the listed protected persons.
- d. The **DEFENDANT** represents:
- i. A credible threat to the physical safety of the **Plaintiff** or the other listed protected person(s); OR
- ii. The terms of this Order prohibit the **DEFENDANT** from using, attempting to use, or threatening to use physical force against the **Plaintiff** or the listed protected person(s) that would reasonably be expected to cause bodily injury.
11. **This Order supersedes**
- any prior Protection From Abuse Order **AND/OR**
 any prior Order of Court relating to child custody.
12. All provisions of this Order shall expire in one year, on
, 2001.

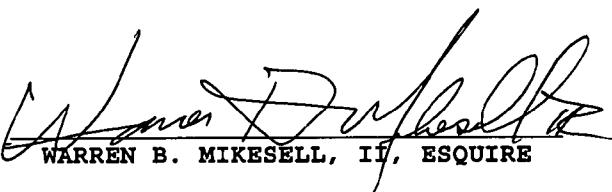
NOTICE TO THE DEFENDANT

VIOLATION OF THIS ORDER MAY RESULT IN YOUR ARREST ON THE CHARGE OF INDIRECT CRIMINAL CONTEMPT WHICH IS PUNISHABLE BY A FINE OF UP TO \$1,000 AND/OR A JAIL SENTENCE OF UP TO SIX MONTHS. 23 PA. C.S. § 6114. VIOLATION MAY ALSO SUBJECT YOU TO PROSECUTION AND CRIMINAL PENALTIES UNDER THE PENNSYLVANIA CRIMES CODE. THIS ORDER IS ENFORCEABLE IN ALL FIFTY (50) STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES AND THE COMMONWEALTH OF PUERTO RICO UNDER THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. SECTION 2265. IF YOU TRAVEL OUTSIDE OF THE STATE AND INTENTIONALLY VIOLATE THIS ORDER, YOU MAY BE SUBJECT TO FEDERAL CRIMINAL PROCEEDINGS UNDER THAT ACT. 18 U.S.C. §§ 2261-2262. IF PARAGRAPH 12 OF THIS ORDER HAS BEEN CHECKED, YOU MAY BE SUBJECT TO FEDERAL PROSECUTIONS AND PENALTIES UNDER THAT "BRADY" PROVISION OF THE GUN CONTROL ACT, 18 U.S.C. § 922(g), FOR POSSESSION, TRANSPORT OR RECEIPT OF FIREARMS OR AMMUNITION.

NOTICE TO LAW ENFORCEMENT OFFICIALS

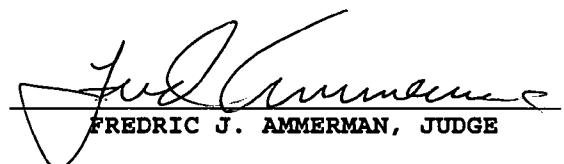
THE POLICE WHO HAVE JURISDICTION OVER THE PLAINTIFF'S RESIDENCE OR ANY LOCATION WHERE A VIOLATION OF THIS ORDER OCCURS OR WHERE THE DEFENDANT MAY BE LOCATED, SHALL ENFORCE THIS ORDER. AN ARREST FOR VIOLATION OF PARAGRAPHS 1 THROUGH 5 OF THIS ORDER MAY BE WITHOUT WARRANT, BASED SOLELY ON PROBABLE CAUSE, WHETHER OR NOT THE VIOLATION IS COMMITTED IN THE PRESENCE OF THE POLICE. 23 PA. C.S. § 6113. SUBSEQUENT TO AN ARREST, THE POLICE OFFICER SHALL SEIZE ALL WEAPONS USED OR THREATENED TO BE USED DURING THE VIOLATION OF THE PROTECTION ORDER OR DURING PRIOR INCIDENTS OF ABUSE. THE CLEARFIELD COUNTY SHERIFF'S OFFICE SHALL MAINTAIN POSSESSION OF THE WEAPONS UNTIL FURTHER ORDER OF THIS COURT. WHEN THE DEFENDANT IS PLACED UNDER ARREST FOR VIOLATION OF THE ORDER, THE DEFENDANT SHALL BE TAKEN TO THE APPROPRIATE AUTHORITY OR AUTHORITIES BEFORE WHOM DEFENDANT IS TO BE ARRAIGNED. A "COMPLAINT FOR INDIRECT CRIMINAL CONTEMPT" SHALL THEN BE COMPLETED AND SIGNED BY THE POLICE OFFICER OR THE PLAINTIFF. PLAINTIFF'S PRESENCE AND SIGNATURE ARE NOT REQUIRED TO FILE THE COMPLAINT. IF SUFFICIENT GROUNDS FOR VIOLATION OF THIS ORDER ARE ALLEGED, THE DEFENDANT SHALL BE ARRAIGNED, BOND SET AND BOTH PARTIES GIVEN NOTICE OF THE DATE OF HEARING.

BY THE COURT:



WARREN B. MIKESELL, II, ESQUIRE

BY THE COURT:



FREDRIC J. AMMERMAN, JUDGE

PLAINTIFF

DEFENDANT

COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

FILED

MAY 30 2000
10:12 AM
cc + fax PBP
William A. Shaw
Prothonotary

ICC Sheriff

ICC Reg Off

ICC P/B

ICC Det

ICC Kaptine

EFCB

1
P. M. D. - 1921 - Sept. 21