

Cause No.: _____

Applicant: _____ § In the _____ Court

§

v.

§

of

§

§

Respondent: _____ § _____ County, Texas

Temporary Ex Parte Protective Order

Go to the court hearing on: Date: _____ Time: _____ a.m. p.m.

Court Address: _____

Findings: The Court finds from the sworn Affidavit or Declaration attached to the *Application for Protective Order* filed in this case that there is a clear and present danger that the Respondent named below will commit acts of family violence that will cause the Applicant, Children and/or Other Adults named below immediate and irreparable injury, loss and damage, for which there is no adequate remedy at law. The Court, therefore, enters this *Temporary Ex Parte Protective Order* without further notice to the Respondent or hearing. No bond is required.

- 1 Respondent:** The person named below must follow all Orders marked with a check.

Name: _____ County of Residence: _____

- 2 Protected People:** The following people are protected by the terms of this PROTECTIVE ORDER:

Name:

County of Residence:

Applicant: _____

Children: _____

Other _____

Adults: _____

- 3 Temporary Orders** — To prevent family violence, the Court orders the Respondent to obey all orders marked with a check. ✓

The Respondent (person named in 1) must:

- Not commit an act against any person named in **2** above that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places those people in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- Not communicate in a threatening or harassing manner with any person named in **2** above.
- Not communicate a threat through any person to any person named in **2** above.

- d. Not communicate or attempt to communicate in any manner with: (*Check all that apply*)
 Applicant Children Other Adults named in **2** above. The Respondent may communicate through: _____ or other person the Court appoints.
 Good cause exists for prohibiting the Respondent's direct communications.
- e. Not go within 200 yards of the: (*Check all that apply*)
 Applicant Children Other Adults named in **2** above. (except to go to court hearings)
- f. Not go within 200 yards of the Residence, workplace or school of the: (*Check all that apply*)
 Applicant Other Adults named in **2** above.
 The addresses of the prohibited locations are: (*Check all that apply*)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Applicant's Residence: _____
 Applicant's Workplace/School: _____
 Other: _____
- g. ☒ Not possess a firearm or ammunition, unless the Respondent is a peace officer actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- h. Not go within 200 yards of the Children's Residence, child-care facility, or school.
 The addresses of the prohibited locations are: (*Check all that apply*)
 Deemed confidential. The Clerk is ordered to strike the information from all public court records and maintain a confidential record of the information for Court use only.
 Disclosed as follows:
 Children's Residence: _____
 Children's Child-care/School: _____
 Other: _____
- i. Not stalk, follow or engage in conduct directed specifically toward the Applicant, Children, or Other Adults named in **2** above that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass them.
- j. Not remove the Children from their school, child-care facility, or the Applicant's possession.
- k. Not remove the Children from the jurisdiction of the Court.
- l. Not harm, or interfere with the care, custody, or control of the following pet, companion animal, or assistance animal: _____ (describe the animal).
- m. Not interfere with the Applicant's use of the Residence located at: _____, including, but not limited to, disconnecting utilities or telephone service or causing such services to be disconnected.
- n. Not interfere with the Applicant's use and possession of the following property:

- o. Not damage, transfer, encumber, or otherwise dispose of any property jointly owned or leased by the Applicant and Respondent, except in the ordinary course of business or for reasonable and necessary living expenses, including, but not limited to, removing or disabling any vehicle owned or possessed by the Applicant or jointly by the parties (whether so titled or not).

4 Order: Vacate Residence Immediately

The Court finds that the Residence located at:

(Check one):

is jointly owned or leased by the Applicant and Respondent;

is solely owned or leased by the Applicant; or

is solely owned or leased by the Respondent; and the Respondent is obligated to support the Applicant or a child in the Applicant's possession.

The Court further finds that the Applicant currently resides at the Residence, or has resided there within 30 days prior to the filing of the *Application for Protective Order* in this case, and that the Respondent has committed family violence against a member of the household within 30 days prior to the filing of the *Application for Protective Order* in this case. There is a clear and present danger that the Respondent is likely to commit family violence against a member of the household.

The Respondent is therefore ORDERED to vacate the Residence on or before: _____ a.m. p.m. on: _____ (date) and to remain at least 200 yards away from the Residence until further order of the Court. The Applicant shall have exclusive use and possession of the Residence until further order of the Court.

IT IS FURTHER ORDERED that the sheriff, constable, or chief of police shall provide a law enforcement officer to accompany the Applicant to the Residence, to inform the Respondent that the Court has ordered the Respondent to vacate the Residence, and to provide protection while the Applicant takes possession of the Residence, and if the Respondent refuses to vacate the Residence, provide protection while the Applicant takes possession of the Applicant's necessary personal property.

5 Go to the Court Hearing

IT IS FURTHER ORDERED that notice issue to the Respondent to appear, and the Respondent is ORDERED to appear in person before this Court at the time and place indicated on page 1 of this form.

The purpose of this hearing is to determine whether the Court should issue the Protective Orders and other relief requested in the *Application for Protective Order* filed in this case.

6 Duration of Order: This Order is effective immediately and shall continue in full force and effect until twenty (20) days from the date it is signed, or further order of the Court.

7 Warning: A person who violates this order may be punished for contempt of court by a fine of as much as \$500 or by confinement in jail for as long as six months, or both.

No person, including a person who is protected by this order, may give permission to anyone to ignore or violate any provision of this Order. During the time in which this Order is valid, every provision of this Order is in full force and effect unless a court changes the Order.

It is unlawful for any person, other than a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to a Protective Order to possess a firearm or ammunition.

A violation of this Order by commission of an act prohibited by the Order may be punishable by a fine of as much as \$4,000 or by confinement in jail for as long as one year, or both. An act that results in family violence may be prosecuted as a separate misdemeanor or felony offense. If the act is prosecuted as a separate felony offense, it is punishable by confinement in prison for at least two years.

This Ex Parte Order signed on (date): _____ Time: _____ a.m. p.m.

Judge Presiding:  _____

This is a Court Order. No one – except the Court – can change this Order.