
PETITIONER

V.

DEFENDANT

Parent/Guardian name if defendant is a minor

COURT

PARISH/CITY OF _____

STATE OF LOUISIANA

DIVISION: _____ NUMBER: _____

FILED: _____ CLERK: _____

PETITION FOR PROTECTION FROM STALKING OR SEXUAL ASSAULT

Pursuant to La. R.S. 46:2171 et seq. or La. R.S. 46:2181 et seq.

This petition is: Initial Petition Supplemental and Amending Petition

The petition of _____, born _____
your name *month/day/year*

a resident of the State of Louisiana, respectfully represents:

Paragraph 1: Petitioner/Protected Person(s)

Petitioner files this petition on behalf of:

- a. _____ Petitioner, and/or
- b. _____ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)

- c. _____ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)

Paragraph 2: Protected Person(s) Address

- a. _____ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. R.S. 46:2134(B).
(Ask clerk of court for the Confidential Address Form.)

OR

- b. _____ Petitioner's current address:

<i>No. & Street</i>	<i>Apt. No.</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>

- c. _____ The minor child's or alleged incompetent's current address:

<i>No. & Street</i>	<i>Apt. No.</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>

Paragraph 3: Special Requests

- a. _____ Petitioner requests interpreter service, for:
 - self/protected person, in following language: _____
 - witness(es), in following language: _____

b. _____ Petitioner requests criminal history record from sheriff for:

- defendant
- witness(es) (see information on Addendum, page 8)

Paragraph 4: Defendant Address

_____, defendant, resides in _____ Parish at
Abuser's Name

No. & Street *Apt. No.* *State* *Zip Code*

Paragraph 5: Venue

This Court is the proper venue for this action because:

- _____ The defendant resides in _____ Parish.
- _____ The stalking/sexual assault occurred in _____ Parish.
- _____ The protected person(s) resides in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 6: Relationship

The defendant is an acquaintance of or stranger/unknown to the protected person(s).

Paragraph 7: Description of stalking/sexual assault

a. **Stalking** (La. R.S. 46:2171 et seq.): Defendant intentionally and repeatedly engaged in the following behavior(s) which caused the protected person to feel alarmed or to suffer emotional distress:

- | | |
|--|--|
| _____ Followed protected person(s) | _____ Implied or threatened protected person(s) with bodily injury |
| _____ Harassed protected person(s) | _____ Implied or threatened protected person(s)' life |
| _____ Uninvited presence at protected person(s)' home | _____ Used tracking device to monitor protected person(s) |
| _____ Uninvited presence at protected person(s)' workplace | _____ Stalked, harmed/threatened to harm protected person(s) or member of protected person(s)' family or acquaintance of protected person(s) |
| _____ Uninvited presence at protected person(s)' school | _____ Implied or threatened protected person(s) with kidnapping |
| _____ Uninvited presence at other places | _____ Implied or threatened protected person(s) with sexual assault |
| _____ Made/sent telephone calls, texts, emails or other electronic communications to protected person(s) | _____ Possessed a dangerous weapon during any of the foregoing behaviors |
| _____ Sent messages via a third party, letters, pictures, public posts to social media | _____ Threatened protected person(s) with a dangerous weapon |
| _____ Sent unwanted gifts to protected person(s) | |
| _____ Other: _____ | |

b. **Sexual assault** (La. R.S. 46:2181 et seq.): Defendant intentionally assaulted the protected person in the following manner:

- _____ Touched the protected person's genitals, anus, breasts or buttocks (either directly or through clothing) using defendant's body part(s) or other objects, without consent.
- _____ Forced the protected person to touch the defendant's genitals, anus, breasts or buttocks (either directly or through clothing) using protected person's body part(s) or other objects.
- _____ Penetrated the protected person's vagina or anus using defendant's body part(s) or other objects, without consent.
- _____ Forced the protected person to penetrate the defendant's vagina or anus, using protected person's body part(s) or other objects.
- _____ Displayed genitals, anus, and/or female breast nipples to protected person without consent, in a public place or prison/jail.
- _____ Deceived the protected person into engaging in anal, oral or vaginal intercourse with the defendant by misrepresenting themselves as someone else known to the protected person.
- _____ Sent an electronic communication, letter, photograph, or drawing containing sexually explicit materials or content to the protected person without consent.

- Exposed the protected person to the HIV/AIDS virus through sexual contact without the knowing and lawful consent of the protected person.
- Viewed or spied on the protected person at a private residence without consent for defendant's sexual gratification.
- Used an image or video recording device to view or observe the protected person without consent for a lewd or lascivious purpose.
- Electronically transferred an image or video of the protected person obtained by the above without the consent of the protected person.
- Gave a drug, narcotic, anesthetic, intoxicant agent or other controlled dangerous substance to the protected person without her/his consent.
- Possessed a dangerous weapon at the time of any of the foregoing behaviors.
- Threatened the protected person with a dangerous weapon during any of the foregoing behaviors.
- Other:

c. The facts and circumstances of stalking or sexual assault are as follows:

The most recent incident of stalking or sexual assault which caused petitioner to file this petition happened on or about _____ (date) at which time the defendant did:

Past incidents: _____

Paragraph 8: Requests for relief

Because of the immediate and present danger of stalking, or sexual assault, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- _____ a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.
- _____ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication, or sending gifts to the protected person(s).
- _____ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:
- _____ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

Employment/School	Address	City	State	Zip Code
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Employment/School	Address	City	State	Zip Code
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- _____ e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).
- _____ f. granting the petitioner or protected person(s) the use of the residence located at:

No. & Street Apt. No.	City	State	Zip Code
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to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering _____ (Sheriff's office) to **evict** the defendant.

Said residence is:

- _____ jointly owned by defendant and petitioner or protected person(s).
- _____ jointly leased by defendant and petitioner or protected person(s).
- _____ solely owned or leased by petitioner or protected person(s).

Presently occupied by _____.

- _____ g. granting petitioner or protected person(s) possession of the following property (including pets or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

granting petitioner or protected person(s) the exclusive use and possession of the following property (including pets or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

for the following reasons: _____

And ordering _____ (Sheriff's office) to accompany petitioner to where the above listed property is located to allow petitioner to take possession.

- ____ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner and/or the minor child(ren) or alleged incompetent.
- ____ i. allowing _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- ____ j. ordering a representative of _____ (Sheriff's office) to accompany _____ to the family residence to recover her/his personal clothing and necessities.
- ____ k. prohibiting the defendant from contacting protected person(s)' family members, or individuals with whom protected person(s) is acquainted.

Paragraph 9: Other Requests

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 8 should not be made into protective orders, and why defendant should not also be ordered:

- ___ to seek professional counseling
- ___ to submit to a medical evaluation and/or a mental health evaluation
- ___ to pay costs of court in this matter.
- ___ to pay attorney fees
- ___ to pay evaluation fees
- ___ to pay expert witness fees
- ___ to pay cost of medical / psychological care for the protected person(s), necessitated by the stalking or sexual assault
- ___ to vacate the residence or household, thereby granting petitioner possession thereof
- ___ other: _____

PRAYER

WHEREFORE, petitioner prays that service and citation issue herein, and that: *(check all that apply)*

- ___ orders appointing an interpreter be granted *ex parte*.
- ___ orders authorizing criminal history records be granted *ex parte*.
- ___ orders requested in Paragraph 8 be granted *ex parte*.
- ___ a rule issue to show cause why protective orders as requested in Paragraph 9 should not be granted.
- ___ defendant be cast with costs.
- ___ defendant be advised of penalties for violating Stalking or Sexual Assault Prevention Orders.
- ___ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by _____
PETITIONER, IN PROPER PERSON

ATTORNEY Signature Print Name La. Bar Roll No.

Phone No. Physical Address

Alternate Address (for service)

PLEASE SERVE DEFENDANT: _____ personally at his/her home or
place of employment at the following address:

OR

AFFIRMATION

STATE OF LOUISIANA

PARISH OF _____

I am the petitioner in this Petition for Protection from Stalking or Sexual Abuse; I have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

I am aware that any false statement made under oath contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on _____ (Date).

PETITIONER SIGNATURE

PRINTED NAME OF WITNESS: _____

WITNESS SIGNATURE

ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page 1 of this petition:

Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

*optional

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection

Temporary Restraining Order

Docket No.

Court: _____ Div.: _____

City/Parish State

Filed: _____ Clerk: _____

PETITIONER-IN-RECONVENTION

First Middle Last

PETITIONER-IN-RECONVENTION IDENTIFIERS

Date of birth Race Sex: Fe Sex: M

Protected person is: Petitioner-in-reconvention Other(s) *List other(s) name & date of birth:*

V.

DEFENDANT-IN-RECONVENTION NAME/ADDRESS

First Middle Last

Name of minor defendant-in-reconvention's parent or guardian

Defendant-in-reconvention's Alias: _____

No. & Street Apt. No.

City State Zip Code

DEFENDANT-IN-RECONVENTION IDENTIFIERS

SEX	RACE	DOB	HT	WT
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EYES	HAIR	SOCIAL SECURITY #		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
DRIVER'S LICENSE #		STATE	EXP DATE	
<input type="text"/>		<input type="text"/>	<input type="text"/>	

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the defendant-in-reconvention has been or will be provided with reasonable notice and opportunity to be heard. Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above-named defendant-in-reconvention be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

EXPIRATION:

This order shall be effective through 11:59 PM on

(month/day/year)

ENFORCEMENT:

This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265).

WARNINGS TO DEFENDANT-IN-RECONVENTION:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922[g][8]). See further notice on page 6 of this Order.

ONLY THE COURT CAN CHANGE THIS ORDER.

LOUISIANA UNIFORM ABUSE PREVENTION ORDER		
TEMPORARY RESTRAINING ORDER		
Pursuant to:		
<input type="checkbox"/> La. R.S. 46:2131 et seq. (Domestic Abuse)	<input type="checkbox"/> La. R.S. 46:2171 et seq. (Non-intimate stalking)	46:2171 and 46:2181 valid for relationships in Box C below ONLY
<input type="checkbox"/> La. R.S. 46:2151 (Dating Violence)	<input type="checkbox"/> La. R.S. 46:2181 et seq. (Non-intimate sexual assault)	
<input type="checkbox"/> La. Ch. C. Article 1564 et seq. (Children's Code Domestic Abuse)		

PETITIONER-IN-RECONVENTION _____ Protected person is: <input type="checkbox"/> Petitioner-in-reconvention <input type="checkbox"/> other(s) <p style="text-align: center;">V.</p> DEFENDANT-IN-RECONVENTION: _____

The protected person(s) is related to the defendant-in-reconvention as: <i>(check all that apply)</i>		
A <ul style="list-style-type: none"> <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant <input type="checkbox"/> 3. child, stepchild, or foster child <input type="checkbox"/> 4. child of defendant-in-reconvention's current or former intimate partner <input type="checkbox"/> 5. protected person and defendant-in-reconvention have a child(ren) in common 	B <ul style="list-style-type: none"> <input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent or other ascendant <input type="checkbox"/> 4. grandchild or other descendant <input type="checkbox"/> 5. child currently or formerly living with defendant-in-reconvention 	
C <i>Select ONLY if R.S. 46:2171 or 46:2181 is marked above</i> <ul style="list-style-type: none"> <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance 		

D	<input type="checkbox"/> FINDING: Domestic Abuse or Dating Violence THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER TO THE PHYSICAL SAFETY OF THE PROTECTED PERSON(S). <input type="checkbox"/> FINDING: Stalking THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER OF STALKING. <input type="checkbox"/> FINDING: Sexual Assault THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE A SEXUAL ASSAULT. THUS, THE COURT ISSUES THE FOLLOWING ORDERS, WITHOUT A HEARING:
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E	<input type="checkbox"/> The court orders interpreter services	<input type="checkbox"/> The court orders the sheriff to provide criminal history records of defendant-in-reconvention and/or witnesses
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IT IS ORDERED THAT THE DEFENDANT-IN-RECONVENTION BE SERVED WITH A COPY OF THIS ORDER.

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

___ 1. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

___ 2. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court. Exceptions (if any): _____

___ 3. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court. Exceptions (if any): _____

___ 4. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

No. & Street *Apt. No.* *City* *State* *Zip Code*

___ 5. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

Employment/School *Address* *City* *State* *Zip Code*

Employment/School *Address* *City* *State* *Zip Code*

___ 6. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

___ 7. THE COURT GRANTS THE PETITIONER-IN-RECONVENTION or protected person(s) the use of the residence located at:

No. & Street *Apt. No.* *City* *State* *Zip Code*

to the exclusion of defendant-in-reconvension by **evicting** defendant-in-reconvension. The Court orders the defendant-in-reconvension to surrender any keys to that residence to the petitioner-in-reconvension.

_____ (Sheriff's office) is ordered to **evict** the defendant-in-reconvension.

___ 8. THE COURT GRANTS THE PETITIONER-IN-RECONVENTION or protected person(s) the use and possession of the following property (including pets or other animals) and/or the return of protected person(s) property including but not limited to telephones/other communication equipment, computers, medications, clothing, toiletries, social security cards, birth certificates/other forms of identification, tools of the trade, checkbooks, keys, automobiles, photographs, jewelry, or any other items or personal effects of protected person:

___ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner-in-reconvension to obtain property listed in Order No. 8 above.

- ___ 10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner-in-reconvention and/or the minor child(ren).
- ___ 11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner-in-reconvention and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- ___ 12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

**DOMESTIC ABUSE, DATING VIOLENCE ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY**

- ___ 13. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner-in-reconvention: *(name, date of birth, and relationship to petitioner-in-reconvention)*

- ___ 14. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner-in-reconvention to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner-in-reconvention obtaining physical custody of said child(ren) or alleged incompetent.
- ___ 15. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.
- ___ 16. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be evicted from the solely owned residence or household and the petitioner-in-reconvention granted possession.
- ___ 17. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay child support and/or spousal support (alimony) pursuant to Louisiana Law. **The court further orders the defendant-in-reconvention to produce at the hearing: most recent income tax returns AND pay stubs or an employer statement documenting gross income to date for the CURRENT year. If the defendant-in-reconvention is self-employed, income & expense statements shall be produced.**

**STALKING, SEXUAL ASSAULT ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY**

- ___ 18. THE DEFENDANT-IN-RECONVENTION IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

**DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY**

- ___ 19. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay the following:
 - all court costs attorney fees
 - evaluation fees expert witness fees
 - cost of medical and/or psychological care for the petitioner-in-reconvention, the minor child(ren), alleged incompetent, and/or other protected person(s) necessitated by the domestic abuse, dating violence, stalking or sexual assault.
- ___ 20. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to seek professional counseling, complete a court-monitored domestic abuse intervention program, submit to a medical evaluation and/or submit to a mental health evaluation.

___ 21. Other:

IT IS FURTHER ORDERED THAT DEFENDANT-IN-RECONVENTION show cause on _____ (month/day/year) at ____ o'clock ____ M. in Courtroom No. ____ of the _____ Court, located at _____ in _____, La., why the above Temporary Restraining Order and other relief requested should not be made Protective Orders.

FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265

This Order meets all requirements of the Violence Against Woman Act (VAWA) **18 U.S.C. Section 2265**. This court has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued ex parte, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

Date of Order _____ <i>month/day/year</i>	Time of Order <input type="checkbox"/> AM <input type="checkbox"/> PM	Order effective through 11:59 PM on _____ <i>month/day/year</i>	_____ SIGNATURE OF JUDGE <input type="checkbox"/> Order issued <i>ex parte</i> <input type="checkbox"/> Order issued after notice and opportunity for hearing given to defendant-in-reconvension _____ PRINT OR STAMP JUDGE'S NAME
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NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

NOTICE TO DEFENDANT-IN-RECONVENTION - VIOLATION OF ORDER:

PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.

PURSUANT TO LA. R.S. 13:4611 AND LA. CH. C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$1,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

NOTICE TO DEFENDANT-IN-RECONVENTION – FIREARM POSSESSION (*Domestic abuse or dating violence ONLY*):

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THE PROTECTIVE ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant-in-reconviction from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the **duration** of a protective order if the following conditions apply:

- Protected person(s) relationship to defendant-in-reconviction is checked in Box **A** on page 2 of this order
AND
- Notice and opportunity for a hearing provided
AND
- **EITHER** Judicial finding of credible threat, **OR**
Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

NOTICE TO DEFENDANT-IN-RECONVENTION – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (*Domestic abuse or dating violence ONLY*)

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT. AS YOU MAY ALSO BE REQUIRED TO STATE UNDER OATH THE NUMBER OF FIREARMS YOU POSSESS, THE TYPE AND LOCATION OF EACH AND COMPLETE A FIREARMS INFORMATION FORM VERIFYING SUCH, BRING THIS INFORMATION TO THE HEARING. THE INFORMATION MAY BE REQUIRED EVEN IF YOU TRANSFERRED THE FIREARMS PRIOR TO THE TRANSFER ORDER.

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.
OR
- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79 - the crime of violation of protective orders – you shall use every reasonable means to enforce this order. La. Code of Criminal Procedure Article 211 provides that when you have reasonable grounds to believe a person committed the offense of domestic abuse battery, battery of a dating partner, violation of protective orders, stalking, or any other offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, household member, or dating partner, the officer shall make a CUSTODIAL arrest.

If the expiration date of this order falls on or within five (5) days of the conclusion of a declared state of emergency, this order/injunction shall be enforced throughout that time period.

DEFENDANT-IN-RECONVENTION WAS SERVED AT CLOSE OF HEARING.

Date _____ Clerk _____

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY

Date _____ Clerk _____

COMPLETED ORDERS FAXED to 888-568-4558 or EMAILED to lpororders@lasc.org

Copies to: 1) Court file 2) Petitioner-in-reconviction/protected person(s) 3) Defendant-in-reconviction 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Louisiana Protective Order Registry.