



Kelsey Howarth
Advocate

930 E Blanco, #200, Boerne, Texas 78006
Work Cell: (830) 343-4608
24-hour Hotline (830) 257-2400
kelseyh@hccares.com
www.hillcountrycrisiscouncil.com

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TCIC Protective Order Data Entry Form

To be completed by the Criminal Justice/Law Enforcement Official and released to authorized agencies only.

ORI:	Choose One: Protective Order Emergency Protective Order		
OCA:	Protective Order Number:	Court Identifier:	
Issue Date:	Date of Expiration:	Date Signed:	Date Rescinded:

ALL fields should be completed to ensure timely entry into TCIC. Missing pertinent information will delay entry and will require the entering agency to contact the court to provide the necessary information.

Respondent Name:				Sex: Male Female			
Race: (circle one): Indian Asian Black White Unknown				Ethnicity: (circle one) Hispanic Non-Hispanic Unknown			
Place of Birth:	Citizenship:	Date of Birth:	Height:	Weight:			
Skin: (circle one): Albino Black Dark Dk Brown Fair Light Lt Brown Medium Med Brown Olive Ruddy Sallow Yellow							
Eye Color: (circle one): Black Blue Brown Gray Green Hazel Maroon Pink Multi-Colored Unknown							
Hair Color: (circle one) Black Blond Brown Gray Red White Sandy Bald Blue Green Orange Pink Purple Unknown							
Scars, Marks and/or Tattoos: (please describe in detail)							
AKA's:							
Caution and Medical Conditions: (circle all that apply)							
00—Armed and Dangerous	05—Violent Tendencies	10—Martial Arts Expert	15—Explosive Expertise	40—Int'l Flight Risk			
20—Known to Abuse Drugs	25—Escape Risk	30—Sexually Violent Predator	50—Heart Condition				
55—Alcoholic	60—Allergies	65—Epilepsy	70—Suicidal				
80—Medication Required	85—Hemophiliac	90—Diabetic	01—Other				
Protection Order Conditions (PCO): (circle all that apply)							
01 Respondent is restrained from assaulting, threatening, abusing, harassing, following, interfering with or stalking the protected person and/or child of the protected person							
02 Respondent may not threaten a member of the protected person's family/household							
03 The protected person is granted exclusive possession of the residence/household							
04 Respondent is required to stay away from the residence, property, school or place of employment of the protected person or other family or household member							
05 Respondent is restrained from making any communication with the protected person including, but not limited to, personal, written, or phone contact, or their employers, employees or fellow workers, or others whom the communication would be likely to cause annoyance or alarm							
06 Respondent is awarded temporary custody of the children named							
07 Respondent is prohibited from possessing and/or purchasing a firearm or other weapon							
08 See miscellaneous field for comments regarding terms and conditions of the protection order (add all prohibitions ordered <u>not</u> already assigned a code, e.g. pets, utilities, mutually owned property, distance, bond conditions, visitation details and/or other special prohibitions).							
09 The protected person is awarded temporary exclusive custody of the child(ren) named							
Brady Record Indicator (BRD): N—Respondent is NOT disqualified Y—Respondent is disqualified U—Unknown				SVC:(circle one) served/not served/unknown SVD:			
Relationship To Protected Person: (Not the additional PPNS)							

Please include the following numeric identifiers, if available:

Driver License:	DL State:	DL Expiration:
Texas ID:	Misc ID:	Social Security:

Respondent Address:			
City:	County:	State:	Zip:

Respondent's Phone #: _____

Protective Order Data Entry Form - Page 2

Respondent Name:

Respondent Vehicle Data:

License Plate:	LP State:	LP Year:	LP Type:
Vehicle ID:	Year:	Color:	
Make:	Model:	Style:	

Protected Person Data

Protected Person Name:	Sex: Male Female
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown
Date of Birth:	Social Security:
Protected Person Address:	
/ Phonnet#:	
City:	County:
State:	Zip:

Protected Person Employer Data

Protected Person Employer Name:	Address:
City:	State:
Zip:	
Protected Person Employer Name:	Address:
City:	State:
Zip:	

Protected Child Data (Use additional pages if necessary)

Protected Child Name:	Sex: Male Female
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown
Date of Birth:	School/Child Care Name and Address:
Home Address:	City:
State:	Zip:
Protected Child Name:	Sex: Male Female
Race: (circle one): Indian Asian Black White Unknown	Ethnicity: (circle one) Hispanic Non-Hispanic Unknown
Date of Birth:	School/Child Care Name and Address:
Home Address:	City:
State:	Zip:

To be completed by Criminal Justice/Law Enforcement Official:

SID:	FBI #:	FPC:	MNU:
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Notes:

Use of Pseudonyms; Code of Criminal Procedures: Art. 57B.02. (Confidentiality of files and records)
 Extension of PO if Respondent is confined or Imprisoned; Family Code: Sec. 85.025 (Duration of Protective Order)
 PCO-07-Possession of a firearm; Family Code: Sec. 85.0222 (Requirements of order applying to person who committed family violence).
 SB 1242-Chapter 85-F.C. Sect 85.007- the court shall order the clerk to maintain a confidential record of the information for use only by: (A) the court; or (B) a law enforcement agency for purposes of entering the information required by Section 411.042 (b) (6), Govt. Code into the statewide law enforcement information system maintained by the Department of Public Safety. (Eff. 9/1/17)

CAUSE NO. _____

**APPLI,
APPLICANT**

)

IN THE DISTRICT COURT

)

VS.

)

198TH JUDICIAL DISTRICT

)

**RESPON
RESPONDENT**

)

BANDERA COUNTY, TEXAS

)

APPLICATION FOR A PROTECTIVE ORDER

Now comes **APPLI**, who makes this Application for a Protective Order, by and through **JANNA IVEY LINDIG**, Bandera County Attorney.

The Applicant, **APPLI**, resides in Bandera County, Texas. The address is withheld for the protection of Applicant and her children.

The Respondent, **RESPON**, resides at _____

I.

Respondent, **RESPON**, has committed family violence by the intentional use or threat of physical force against the Applicant, as more specifically alleged in part in the attached statement of facts which have been verified by the Applicant, which is incorporated herein for all purposes; and for which protection is sought.

II.

Respondent is Applicant's husband. The Applicant and Respondent were married on _____ and separated on _____.

No suit is pending for dissolution of a marriage between Applicant and Respondent at this time.

III.

As shown in part by the facts alleged in the attached handwritten statements, which are attached hereto and incorporated herein for all purposes, there is a clear and present danger of family violence if a Temporary EX Parte Order is not granted. Applicant therefore requests the Court to issue a Temporary Ex parte Protective Order prohibiting Respondent from the following:

1. Committing acts of family violence.
2. Directly or indirectly (through a third person) communicating in a threatening or harassing manner with Applicant or any member of applicant's family or household.
3. Telephoning Applicant's home.
4. Going within 500 yards of **APPLI** or Applicant's children:
CHILD, SEX, date of birth - _____.
5. Going within 500 yards of the residence of **APPLI** and/or the children of Applicant.
6. Transferring, encumbering, or otherwise disposing of, destroying, or harming any property owned or leased by **APPLI**.
7. Interfering with the exclusive use of Applicant's residence located in Bandera County, Texas.

Applicant seeks protection for herself and the following children:

CHILD, SEX, date of birth - _____

IV.

Applicant is unable to pay the costs of service or notice and citation and requests the Court so find and Waive any fee that may be due or become due other than the filing fee.

PRAYER

Applicant prays that citation and notice issue as required by law and that the Court enter the Protective Orders requested above. Applicant further prays that the Court immediately issue the Temporary Ex parte Protective Order requested above, in conformity with the allegations herein, prohibiting Respondent from the acts set forth above until a hearing can be held. Applicant prays that a hearing be held not later than 14 days from the filing of the Application and upon notice and hearing the Court grant the relief requested; that the Court order that Respondent pay all court costs associated with this cause, as well as a reasonable sum as attorney's fees to the fund from which the

Bandera County Attorney's salaries are paid or supplemented, for the representation of the Applicant in this cause by the undersigned prosecutor; that the Court dispense with the necessity of a bond, and grant such other relief to which Applicant may be entitled.

Respectfully submitted,

JANNA IVEY LINDIG
Bandera County Attorney
P.O. Box 656
Bandera, Texas 78003
830/796-4075 & 460-8143
830/796-8218 (fax)
SBN: 10438200

VERIFICATION

STATE OF TEXAS

COUNTY OF BANDERA

Before me, the undersigned authority, on this ____ day of _____, 20__, personally appeared _____, the Applicant in the above Application for Protective Order. After being duly sworn, he/she stated upon his/her oath that he/she is over 18 and otherwise qualified to make this oath, that he/she has read the foregoing Application for Protective Order, that he/she has personal knowledge of the facts stated in the Application, and the facts and circumstances stated in the Application are true to the best of his/her knowledge and belief.

Signed this ____ day of _____, 20__.

Applicant

Subscribed and sworn to before me on the ____ day of _____, 20__.

Notary Public in and for the State of Texas

My Commission Expires: _____

CAUSE NO. _____

APPLI
APPLICANT

)

IN THE DISTRICT COURT

)

VS.

)

198TH JUDICIAL DISTRICT

)

RESPON
RESPONDENT

)

BANDERA COUNTY, TEXAS

)

TEMPORARY EX-PARTE PROTECTIVE ORDER
AND SHOW CAUSE ORDER

On this day the Application of **APPLI** for an Ex-Parte Protective Order was presented to the Court.

The Court, having examined the verified pleadings of Applicant, finds that Applicant is entitled to the relief requested.

Respondent is **RESPON**, and the following information is provided to aid law enforcement officers in serving and enforcing this order:

Respondent's Name:	RESPON
Date of Birth:	_____
TX Driver's License No.:	_____
Social Security Number:	_____
Height:	__ feet __ inches
Weight:	_____ pounds
Race:	_____
Hair Color:	_____
Eye Color:	_____
Identifying Characteristics:	_____
Residence Address:	_____

Residence Phone:	_____
Business Address: & Name:	_____
Business Phone:	_____

IT IS ORDERED that the Clerk of this Court issue a TEMPORARY EX-PARTE PROTECTIVE ORDER prohibiting Respondent, **RESPON**, and Respondent, is hereby immediately prohibited from:

- a. Committing acts of family violence;
- b. Directly communicating in a threatening or harassing manner with any member of Applicant's family or household or with the person on whose behalf this application is brought;
- c. Going within 500 yards of Applicant and/or the following persons:
CHILD, SEX, date of birth - _____
- d. Going within 500 yards of the following locations:
Schools: (Name and Location)

Residence: (Name and Location)

Other: (Name and Location)

- e. Removing the children:
CHILD, SEX, date of birth - _____
from Applicant's possession, or removing them from Bandera County, Texas;
- f. Transferring, encumbering or otherwise disposing of any property owned or leased by the parties except in the ordinary course of business;
- g. Interfering with the exclusive use by **APPLI** of the residence located at:

- h. Injuring, harassing, threatening, or harming Applicant or the children or other person on whose behalf this action has been brought.
- i. Other

These TEMPORARY EX-PARTE PROTECTIVE ORDERS shall be effective immediately and are binding on the Respondent and shall continue in full force and effect until the date of the hearing.

The granting of this ORDER is based upon the following findings of the Court:

- (a) that there is no suit for dissolution of marriage pending between applicant and

Respondent;

- (b) that there is a clear and present danger that acts of family violence will be committed by Respondent before a full hearing can be held upon Applicant's request for a Protective Order;
- (c) that Applicant and/or the other members of the family or household who are affected by this suit will suffer immediate and irreparable injury, loss, or damage for which there is no adequate remedy at law unless Respondent is immediately prohibited from the acts set forth above.

The requirement of a bond is hereby waived pursuant to Section 83.003 Title IV, Texas Family Code (2003).

IT IS FURTHER ORDERED that the Clerk shall issue notice to appear, before this Court in the **District Courtroom** located at **Bandera County Justice Center, 3360 State Highway 173 North, Bandera, Texas** on the ___ day of _____, 20___, at _____ o'clock __.m., to show cause why during the pendency of this case:

The temporary Ex-Parte Protective Order granted herein should not be made into a final Protective Order.

The additional relief requested by Applicant should not be granted.

The court should not make such other and further orders respecting the parties as deemed necessary and equitable.

WARNING

A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500.00 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 THIS ORDER.

SIGNED this the ___ day of _____, 20___, at _____ o'clock __. m. in chambers.

M. REX EMERSON, District Judge,
Bandera County, Texas