IN THE _____ JUDICIAL CIRCUIT COURT, _____, MISSOURI

Judge or Division:	**Case Number:** Court ORI Number:
Petitioner: vs.	MSHP Number: Responsible Law Enforcement ORI: Related Cases:
Respondent: Alias/Nicknames:	Respondent's Home Address: Home Phone Number:
Respondent's DOB: Age: SSN (if known, last four digits): Race: Sex: ☐ F ☐ M Hair Color: Height: Eye Color: Weight: (Identifying Information for use by Law Enforcement) Visible Identifying Marks (e.g. tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses):	Respondent's Work Address: Work Phone Number: Work Hours: Other Locations Where Respondent May Be Served: Petitioner's Relationship to Respondent pursuant to 18 U.S.C. §§ 921(a)(32) and 922(g)(8) determination: ☐ Spouse ☐ Adults with child(ren) in common ☐ Former spouse ☐ Adults, intimate residing/resided together ☐ Adults are/were in a continuing social relationship of a romantic/intimate nature ☐ Adults related by blood. Define relationship: _____ ☐ Adults related by marriage. Define relationship: _____ ☐ Adults residing/resided together; no intimacy ☐ Stalking. Define relationship: _____

(Date File Stamp)

Adult Abuse/Stalking Petition for Order of Protection

1. I am Petitioner and ☐ at least 17 years of age ☐ under 17 but emancipated
   Respondent is ☐ at least 17 years of age ☐ under 17 but emancipated ☐ under 17

2. I reside in _____ (city), _____ (state), in the County of _____.
   Respondent may be found in _____ (city), _____ (state), in the County of _____.

3. An act of abuse or stalking occurred at _____ (address), _____ (city), _____ (state), in the County of _____.

4. Respondent and I: (check one or more)
   - ☐ are related by blood.
   - ☐ are spouses.
   - ☐ were spouses.
   - ☐ have child(ren) in common.
   - ☐ are or were residing together.
   - ☐ were related by marriage.
   - ☐ are related by marriage.
   - ☐ have no relationship other than Respondent has stalked me.
   - ☐ are in a continuing romantic or intimate social relationship.
   - ☐ were in a continuing romantic or intimate social relationship.

Complete for Adult Abuse Petition Only.

5. Respondent and I: (check one or more)
   - ☐ reside together.
   - ☐ previously resided together at _____ (address), _____ (city), _____ (state), in the County of _____.
   - ☐ never resided together.

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6. Respondent is stalking me. Explain relationship (example: co-workers, neighbors, etc.)
   _____
   _____

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7. The residence in which I live is: (check one or more)
   - ☐ jointly owned, leased or rented or jointly occupied by Respondent and me.
   - ☐ owned, leased, rented or occupied by me.
   - ☐ jointly owned, leased, rented or occupied by me and someone other than Respondent.
   - ☐ owned, leased, rented or occupied by someone else, and Respondent is my spouse.
   - ☐ jointly occupied by me and another person, and Respondent has no property interest therein.

8. Respondent has knowingly and intentionally: (check at least one)
   - ☐ coerced me
   - ☐ stalked me
   - ☐ harassed me
   - ☐ sexually assaulted me
   - ☐ unlawfully imprisoned me
   - ☐ followed me from place to place
   - ☐ caused or attempted to cause me physical harm
   - ☐ placed or attempted to place me in apprehension of immediate physical harm
   - ☐ threatened to do any of the above

   by the following act(s): (Include the most recent date(s) of each act described.)

   _____

   _____

   _____

9. I am afraid of Respondent, and there is an immediate and present danger of abuse or stalking of me because: (describe)

   _____

   _____

   _____

10. ☐ Photographs/Exhibits are filed as evidence of my injuries.

Complete for Adult Abuse Petition Only.

11. It is in the best interest of the minor children that custody be awarded as follows:

	Child's Name	SSN (last 4 digits only)	Age	Address (If other than Petitioner)
1.				
2.				
3.				
4.				
5.				

	Who did each Child reside with during last six months	Relationship to Parties (Explain if not Respondent's Child)	Persons to Receive Custody	Custody (check one or both) Temporary	Full
1.				☐	☐
2.				☐	☐
3.				☐	☐
4.				☐	☐
5.				☐	☐

(If necessary, attach additional sheets.)

12. Indicate any prior or pending custody court cases before, or orders entered by, this court or any other court involving the following parties.
    (If none, so state):

    a. Petitioner _____

    b. Respondent _____

    c. Children (identified in item 11) _____

13. ☐ Order Petitioner's residential address on voter's registration record to be closed to the public.

14. Pursuant to Section 455.010 to Section 455.085 RSMo, it is requested that the court issue an Ex Parte Order of Protection restraining Respondent from: (check all that apply)

- ☐ abusing, threatening to abuse, molesting or disturbing the peace of Petitioner wherever Petitioner may be found.
- ☐ stalking Petitioner.
- ☐ entering the family home, place of employment or school of Petitioner located at (see notice below) _____, except as specifically authorized by the court.
- ☐ communicating with Petitioner in any manner or through any medium, except as specifically authorized by the court.
- ☐ other: _____

15. It is further requested that, upon the hearing of this cause, the court issue an Order of Protection enjoining Respondent from the above acts for such time as is necessary to protect Petitioner and that the court: (one or more may be selected)

- ☐ Award custody of the minor child(ren) to ☐ Petitioner ☐ Respondent.
- ☐ Order visitation with the minor child(ren) to ☐ Petitioner ☐ Respondent as follows: _____
- ☐ Order ☐ Petitioner ☐ Respondent to pay child support to ☐ Petitioner ☐ Respondent in the amount of $ _____ (check one) ☐ per week ☐ per month.
- ☐ Order ☐ Petitioner ☐ Respondent to pay maintenance to ☐ Petitioner ☐ Respondent in the amount of $ _____ (check one) ☐ per week ☐ per month.
- ☐ Order that Respondent make or continue to make the rent or mortgage payments in the amount of $ _____ on the residence occupied by Petitioner.
- ☐ Order that Respondent pay Petitioner's rent at a residence, other than the residence previously shared with Respondent, in the amount of $ _____.
- ☐ Order that Petitioner be given temporary possession of the following personal property: _____
- ☐ Prohibit Respondent from transferring, encumbering, or otherwise disposing of the following property mutually owned or leased with Petitioner: _____
- ☐ Order Respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior.
- ☐ Order Respondent to pay a reasonable fee for housing and other services provided to Petitioner by a shelter for victims of domestic violence.
- ☐ Order Respondent to pay the cost of medical treatment or services provided to Petitioner as a result of injuries sustained by an act of domestic violence committed by Respondent.
- ☐ Order Respondent to pay court costs.
- ☐ Order Respondent to pay Petitioner's attorneys fees.
- ☐ Order the full order of protection issued for one year be automatically renewed unless Respondent requests a hearing by thirty days prior to the expiration of the order.
- ☐ Other (specify): _____

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

_____
Date

_____
Petitioner's Signature

_____
Address (Optional)

_____
City, State and Zip

_____
Telephone

_____
Attorney's Name, Missouri Bar No., if Applicable

_____
Address

_____
City, State and Zip

_____
Telephone

NOTICE: Section 455.030.3 RSMo provides that a Petitioner seeking protection under the Adult Abuse Act is not required to reveal any current address or place of residence on this motion. **Do not provide this information if doing so will endanger you.**

Definition of Abuse

You are notified that, under section 455.010(1), RSMo, the term **"abuse"** includes but is not limited to the threat to commit, the attempt to commit and/or the actual commitment of the following acts, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner.

a. ***Assault:*** "purposely or knowingly placing or attempting to place another in fear of physical harm";

b. ***Battery***: "purposely or knowingly causing physical harm to another by with or without a deadly weapon";

c. ***Coercion***: "compelling another by force or threat of force to engage in conduct from which the latter has the right to abstain or to abstain from conduct in which the person has a right to engage";

d. ***Harassment***: purposely or knowingly engaging in a "course of conduct" that "alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child." Some examples include:

i. "Following another about in a public place";

ii. "Peering in the windows of another";

iii. "Lingering outside the residence of another".

e. ***Sexual assault***: "causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress";

f. ***Unlawful imprisonment***: "holding, confining, detaining or abducting another against that person's will"

Definition of Stalking

You are notified that, under Section 455.501(13) RSMo, **"stalking"** occurs when any person purposely and repeatedly engages in an unwanted course of conduct that would cause alarm to a reasonable person. "An unwanted course of conduct" is behavior that serves no legitimate purpose. Such conduct may include following a person or unwanted communication or contact. "Repeated" means two or more incidents that show a continuity of purpose, in other words, that are intended to cause alarm. "Alarm" means to cause fear of danger of physical harm.