

IN THE _____ COURT OF _____, MISSISSIPPI

PETITIONER

VS. _____ CAUSE NO. _____

RESPONDENT

FILED: _____

PETITION FOR DOMESTIC ABUSE PROTECTIVE ORDER

Comes Now Petitioner, _____, born on _____,
an adult resident of _____, County, Mississippi, and files this Petition, pursuant
to M.C.A. § 93-21-1 et seq., and for cause would say the following:

Paragraph 1

Petitioner seeks protection for:

- ☐ Self, and/or ☐ Minor child(ren), and/or ☐ Alleged incompetent (mentally incapacitated)

If filing this petition on behalf of minor child(ren) and/or alleged incompetent, list name, date of birth, and relationship:

Name	Date of Birth	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Paragraph 2 (check one)

- ☐ Based on the alleged acts of abuse in paragraphs 9 and 10 of this petition, Petitioner submits that there exists immediate and present danger of abuse to the person(s) on whose behalf this petition is filed, such that emergency protection is necessary and an Ex Parte Temporary Domestic Abuse Protective Order should be issued immediately pursuant to M.C.A. § 93-21-11(2). Further, Petitioner requests this Court to set a hearing on this petition within the time required by law, after which a Domestic Abuse Protective Order should be entered.
- ☐ Petitioner submits that the person(s) on whose behalf this petition is filed has been abused by Respondent as alleged in paragraphs 9 and 10 of this petition and requests that this Court issue a Domestic Abuse Protective Order, following a hearing on this petition.

Paragraph 3

- ☐ Petitioner has omitted (left out) his/her current physical/mailling address from this petition pursuant to M.C.A. § 93-21-9(7), as revealing such address would place Petitioner and/or the person(s) on whose behalf this petition is filed in further danger of abuse, or reveal the location of a domestic violence shelter. (Fill out the following address information ONLY if you have not checked the box above indicating your desire to omit your address for safety purposes.)
- ☐ Petitioner's Current Physical Address: _____
Petitioner's Current Mailing Address (if different): _____
- ☐ Minor Child(ren) or Incompetent's Current Physical Address: _____

Paragraph 4

Respondent's Name: _____		Date of Birth: _____	
Address: _____		County: _____	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race: <input type="checkbox"/> Caucasian <input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Other	Hair: <input type="checkbox"/> Brown <input type="checkbox"/> Black <input type="checkbox"/> Blonde <input type="checkbox"/> Red <input type="checkbox"/> Gray <input type="checkbox"/> Other	Eyes: <input type="checkbox"/> Brown <input type="checkbox"/> Blue <input type="checkbox"/> Gray <input type="checkbox"/> Green <input type="checkbox"/> Other
Height: _____		Social Security # _____	
Weight: _____		Driver License # _____	
		State of Issuance: _____	
Other names Respondent is known as: _____			

Paragraph 5

The person(s) for whom protection is sought is related to the Respondent:

- ☐ as a current or former spouse;
- ☐ as a person living as a spouse or who formerly lived as spouses;
- ☐ as a current or former dating partner;
- ☐ as a parent or child;
- ☐ by blood or marriage currently residing or formerly resided together; or
- ☐ as a person having a child or children in common

Paragraph 6

- ☐ The Respondent and the person(s) for whom protection is sought reside at the same address.
- ☐ The Respondent and the person(s) for whom protection is sought work at the same location.
- ☐ The Respondent and the person(s) for whom protection is sought attend school at the same location.
- ☐ None of the above.

Paragraph 7

- ☐ A suit for divorce is pending between the parties.
If checked, list what court: _____
- ☐ The parties are divorced. *(If checked, a copy of the divorce decree must be provided to the Court.)*
- ☐ Not applicable.

Paragraph 8

- ☐ The parties have no child(ren) in common.
- ☐ The party for whom protection is sought and the Respondent have child(ren) in common.
Name of Child: _____ Date of Birth: _____ Custodial Parent: _____

- ☐ Custody or visitation established by previous Court Order? *(If checked attach a copy of any Orders establishing custody and/or visitation with minor child(ren).)*
- ☐ Custody or visitation action pending. If checked, list what court: _____

Paragraph 9

The Respondent abused the person(s) for whom protection is being sought by committing the following acts:

- ☐ attempted to cause or intentionally, knowingly or recklessly caused bodily injury;
- ☐ placed, by physical menace or threat, another in fear of imminent serious bodily injury;
- ☐ has committed criminal sexual conduct against a minor;
- ☐ has committed sexual battery or rape; or
- ☐ has engaged in stalking or cyber-stalking.

Paragraph 10

The facts and circumstances of the abuse are as follows:

The most recent incident of abuse which caused Petitioner to file this petition happened on or about the _____ day of _____, 20____, at which time the Respondent did the following: _____

Other Incidents of abuse include (be specific and indicate approximate dates): _____

Paragraph 11

Petitioner requests the Court enter a Domestic Abuse Protective Order, granting the following relief:

- ☐ Prohibit the Respondent from abusing, harassing, stalking, following or threatening the person(s) for whom protection is sought in any manner whatsoever, including by electronic means. This also includes the use, attempted use or threatened use of force or physical violence that would reasonably be expected to cause bodily injury.
- ☐ Prohibit the Respondent from contacting the person(s) for whom protection is sought either in person, by phone, electronic communication, or through a third party, except such contact as may be necessary for the purposes set forth below.
- ☐ Prohibit the Respondent from going within a certain distance of the person(s) for whom protection is sought to include place of employment, school, etc.), except for the purposes set forth below.
- ☐ Exceptions to the contact and/or distance prohibition(s) should include:
 - ☐ For purposes of exchanging the minor child(ren) for visitation.
 - ☐ For medical emergencies involving the minor children.
 - ☐ For special events involving the minor children (sporting events, school functions, etc.) as deemed appropriate by the Court.
 - ☐ Other (be specific): _____
- ☐ None of the above— no exceptions requested.
- ☐ Prohibit the Respondent from transferring or disposing of property which is mutually owned by the parties.
- ☐ Granting to the Petitioner the use of the residence located at: _____ to the exclusion of the Respondent by evicting Respondent and ordering the Respondent to surrender any keys to the residence to Law Enforcement or the Court.
- ☐ Requiring the Respondent to pay the costs of court in this matter.

The following relief may only be granted if this petition has been filed in the Chancery, Circuit or County Court.

- ☐ Issue appropriate Orders addressing temporary custody and/or visitation with any minor child(ren).
- ☐ Require the Respondent to pay to the person(s) for whom protection is sought monetary compensation for losses suffered as a direct result of the abuse and/or temporary support.

Paragraph 12

The Petitioner prays further as follows:

- a. that the Respondent be served with a copy of this Petition, a Notice of Hearing and any *Ex Parte* Orders issued by the Court .
- b. that the Respondent be put on notice of the penalties for violation of any Order issued by this Court for the purpose of protection from domestic abuse;
- c. that a copy of any Order be provided to law enforcement and that law enforcement be directed to enforce any violations of such Order;
- d. that the Court grant any other relief as deemed appropriate and necessary by the Court.

RESPECTFULLY SUBMITTED, this the _____ day of _____, 20_____.

Petitioner's Signature

STATE OF MISSISSIPPI
COUNTY OF _____

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named _____, who, after being by me first duly sworn on oath, stated that the facts set out in the above and foregoing Petition for A Domestic Abuse Protective Order are true and correct as therein stated.

Petitioner

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 20_____.

NOTARY PUBLIC / COURT CLERK

My Commission Expires: _____