

INFORMATION FOR SUPPLEMENTAL ORDER

Person Requesting: \_\_\_\_\_, Order: \_\_\_\_\_

Social Security No. [REDACTED] Address: [REDACTED]

DOB: 4-29-87

AL 35986

Employer: [REDACTED] Phone: [REDACTED]

Person Restraining Order is Against: Richard Barnett Jr

Social Security No. [REDACTED] Address: ~~[REDACTED]~~

DOB: 4-23-80

AL

Employer: [REDACTED] Phone: [REDACTED]

Alias: \_\_\_\_\_

Race: W Sex: M Age: 28 Height: 5'8" Weight: 205

Physical Description: Musky, facial hair

Distinguishable Jewelry or clothing: \_\_\_\_\_

Vehicle Make: \_\_\_\_\_ Vehicle Model: \_\_\_\_\_

Vehicle Color: \_\_\_\_\_ Vehicle Year: \_\_\_\_\_

Vehicle Tag Number: \_\_\_\_\_

Does the defendant own or have access to any weapons?  yes ( ) no ( ) unknown

If yes, please list and describe the weapons: Knives, Guns



Jessica's copy

JESSICA STALLINGS,  
PLAINTIFFS,  
VS.  
RICHARD BARNETT, JR.,  
DEFENDANTS.

\* IN THE DISTRICT COURT OF  
\*  
\* DEKALB COUNTY ALABAMA  
\*  
\*  
\*  
\*  
\*  
\*  
\* CASE NO. DR-2009-98

**ADDENDUM TO EX PARTE PROTECTION ORDER**  
(PROTECTION FROM ABUSE ACT)

The Court finds from the sworn testimony of the Plaintiff that the Plaintiff has been abused by the Defendants, RICHARD BARNETT, JR., as alleged in the Petition filed by the Plaintiff. Therefore, the attached Ex Parte Protection Order has been issued, pursuant to Section 30-5-1 et seq., Code of Alabama, 1975.

The Court acknowledges that this finding is based upon ex parte testimony presented by the Plaintiff only and the Court has not had the benefit of other testimony that might be presented by the Defendant at the hearing set by the Court in the attached Order.

A WILLFUL VIOLATION OF THE ATTACHED ORDER IS A CLASS A MISDEMEANOR, WHICH IS PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.00 OR IMPRISONMENT FOR UP TO A YEAR IN JAIL, OR BOTH, AND IS ALSO PUNISHABLE FOR CIVIL CONTEMPT.

THE DEFENDANT HAS A RIGHT TO A HEARING BUT IT MUST BE REQUESTED IN WRITING WITHIN TEN (10) DAYS OF THE DATE OF SERVICE OF THIS ORDER. FAILURE TO FILE SAID REQUEST WITHIN THIS TIME PERIOD WILL RESULT IN THE HEARING BEING WAIVED AND THE EX PARTE ORDER BECOMING A FINAL ORDER.

DONE THIS 9 DAY OF MARCH, 2009.

  
\_\_\_\_\_  
DISTRICT JUDGE

Parties .

**COMPLETE, FILED, SCANNED**

# Ex Parte Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

State of Alabama Unified Judicial System, Form C-4 Page 1 to 3  
Rev. 2/2005

Case No.

In the  Circuit or  District Court of  
DEKALB County, ALABAMA

Amended Order

## PLAINTIFF

*Stallings*  
First Middle Last

And/or any minor(s) or minor child (ren) on whose behalf the  
Petition for Protection from Abuse filed [List Name(s) and DOB(S)]

## PLAINTIFF

Date of Birth (DOB) of Plaintiff

Other Protected Persons(s) [List Name(s) and DOB(s)]:

V.

## DEFENDANT

*Barnett*  
First Middle Last

Relationship to Plaintiff:  Spouse  Ex-Spouse  Child  
 Parent  Relation within 5<sup>th</sup> Degree Consanguinity or Affinity  
 Common Law Marriage  Child in Common  
 Present or Former Household Member

Defendant's Home Address & Telephone #: \_\_\_\_\_

## DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #	STATE	EXP DATE		
VEHICLE	TAG#			

CAUTION : WEAPONS INVOLVED  Firearm  Knife  Hands, Feet, Fist  Other:  
 Weapon Present on the Property

## THE COURT HEREBY FINDS (Check all that apply):

Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and subject matter and that:

- A temporary order is necessary to prevent abuse.
- The Defendant represents a credible threat to the physical safety of the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member to-wit:

## THE COURT HEREBY ORDERS (Check all that apply):

- That the above named Defendant be restrained from committing further acts of abuse or threats of abuse as defined in the Protection from Abuse Act.
- That the above named Defendant be restrained from any contact with the  Plaintiff; and/or  Minor(s); and/or  Minor Child (ren); and/or  Any designated household or family member, to wit:

Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until:  ; or  /further order of the Court.

## WARNINGS TO DEFENDANT :

This Order shall be enforced, even without registration, by the courts of any State, the District of Columbia, and any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A willful violation of this ORDER is a Class A misdemeanor punishable by a fine not to exceed two thousand dollars (\$2,000) or imprisonment for up to a year in jail, or both, and is also punishable for civil contempt (Section 30-5-8, Ala. Code 1975). In addition, Sections 30-5-9 and 30-5A-3(c)(2), Ala. Code 1975, further outlines penalties for violations of protection, restraining or injunctive orders.

Original-Court Record

**ONLY THE COURT CAN CHANGE THIS ORDER**

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

# Ex Parte Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

State of Alabama Unified Judicial System, Form C-4 Page 2 to 3  
Rev. 2/2005

Case No.

Amended Order

In the  Circuit or  District Court of  
DEKALB County, ALABAMA

### THE COURT FURTHER ORDERS THAT (Check all that apply):

- (1) The Defendant is enjoined from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (2) The Defendant is further restrained and enjoined from harassing, stalking, or threatening, or engaging in conduct that would place in reasonable fear of bodily injury, the:  Plaintiff, and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (3) The Defendant is further restrained and enjoined from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the:  Plaintiff, and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (4) The Defendant is further restrained and enjoined from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to-wit: \_\_\_\_\_
- (5) The defendant is ordered to stay away from :  
The Plaintiff's  residence  place of employment;  school; and/or  
The Minor'(s) and/or Minor child(ren)'s  residence;  place of employment;  school; and/or  
 Any specified place, which the Defendant has no legitimate reason to frequent, as designated below, frequented by:  the Plaintiff; and/or  the minor'(s); and/or  minor child(ren); and/or  any designated family/household member. Name(s) and location(s) of the other specified place(s): \_\_\_\_\_
- (6) Temporary custody of the minor child(ren) of the parties is hereby granted to : \_\_\_\_\_
- (7) The Defendant is restrained and enjoined from interfering with the Plaintiff's efforts to remove the Plaintiff's minor child(ren) from the  home; or  school.
- (8) The Defendant is restrained and enjoined from removing the minor child(ren) from the individual, to-wit \_\_\_\_\_, having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction.
- (9) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) The Defendant is prohibited from :  transferring;  concealing;  encumbering; or  otherwise disposing of specified property mutually owned or leased by the parties, as follows; \_\_\_\_\_
- (11) The Defendant is restrained and enjoined from interfering with the Plaintiff's employment.

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

# Ex Parte Protection Order

(Protection from Abuse Act)  
§30-5-1, et seq., Ala. Code 1975

State of Alabama Unified Judicial System, Form C-4 Page 3 to 3  
Rev. 2/2005

Case No.

In the  Circuit or  District Court of  
DEKALB County, ALABAMA

Amended Order

(12) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, as follows:

Granting Plaintiff's request, this Court orders that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence, be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.

Any law enforcement officer is hereby directed to accompany the Plaintiff to the:  residence of the parties; and / or  another location, \_\_\_\_\_ as necessary to enforce any of the terms of this Order, to wit: \_\_\_\_\_ (description of location)

This matter is set for a hearing on Defendant's Request (date) at \_\_\_\_\_ to be held at \_\_\_\_\_

Date

3-6-09

Judge



Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

State of Alabama  
Unified Judicial System  
Form C-2 (Page 1 of 5)  
Rev. 2/2005

PETITION FOR PROTECTION FROM ABUSE

Case Number

IN THE COURT OF COUNTY, ALABAMA

*Jessica Stallings*  
(Circuit or District)  
Plaintiff (your name)

v. *Richard Barnett Jr.*  
(Name of County)  
Defendant (person to be restrained)

Address: Business or Home

City: *4-23-1980* State: Zip Code

Date of Birth

Social Security Number

YOU MUST PROVIDE COMPLETE AND TRUTHFUL INFORMATION. IF YOU DO NOT, THE COURT MAY DISMISS THIS CASE, AND YOU MAY BE SUBJECT TO BEING CHARGED WITH PERJURY FOR KNOWINGLY PROVIDING FALSE INFORMATION.

I. Eligible Plaintiffs (Check all that apply)

A. I am an adult seeking relief for  myself; and/or  my minor child(ren); and/or  another person prevented by physical or mental incapacities from seeking a protection order.

CHECK AND FILL OUT ONLY ONE SECTION (1, 2, 3, 4, or 5):

- 1. The Defendant is my  spouse; or  former spouse.  
Date of marriage: *Jan 22, 2008* Date of Divorce (if applicable): *pending*
- 2. The Defendant and I are adults related by:  blood;  marriage; or  adoption.
- 3. The Defendant and I have lived together.
- 4. The Defendant and I are currently living in the same household.
- 5. The Defendant and I are the unmarried parents of a child.

I am the Plaintiff, and I state that the following is true and correct:

I am a resident of *DeKalb* in *AL* My age is: *21* years old.  
(Name of County) (Name of State)

Are you involved in any other civil case (including divorce or custody) with the Defendant?  YES  NO  
If YES, please state the County and State in which the case was brought: *DeKalb* County, *AL* (State).

Are there any criminal charges against the Defendant because of abuse to you?  YES  NO  
If YES, the charges were brought in \_\_\_\_\_ County, \_\_\_\_\_ (State).

(Note: If there are more civil cases with the Defendant or more criminal charges against the Defendant, please attach additional 8" x 11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these cases are being handled).

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

PETITION FOR PROTECTION FROM ABUSE

Case Number

(Check the box if the following statement applies to you):

I left my home due to abuse or threat of abuse, and I am currently residing in \_\_\_\_\_ County, Alabama

The Defendant lives in DeKalb County, AL (State).

Defendant is 21 years old.

I am requesting (check one of the following boxes):  a protection order; OR  a change in a current protection order.

II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following (Check all that apply):

- Injured me;  Tried to injure me;  Threatened to injure me;
- Made me afraid that I would be seriously injured;  Made me have sex by force or threat of force;  Abused a minor child;
- Abused a physically or mentally incapacitated person

III. Explain the Abuse That Has Happened (Begin With the Most Recent Act. You May Add Additional 8" x 11" Sheets of Paper, if Necessary):

Date and place where the abuse occurred:

March 4th - he threatened to come to my residence and beat me and my boyfriend up. he was drunk. his sister text me and told me to get out of the house he was on his way. he text me and threatened me.

When I took the kids to him he said if i didnt sign custody papers he would kill me.

I fear the Defendant will cause further abuse because:

he has hit me before and a week prior he said he was coming over and showed... we got into a physical confrontation.

IV. Legal Information Required (Check all that apply):

There is a current restraining or protection order against the Defendant.

YES;  I don't know;  NO. If YES, the County and State where it was issued: \_\_\_\_\_ County, \_\_\_\_\_ State.

The Defendant has a current restraining or protection order against me and/or the person(s) for whom I am applying:

YES  NO. If YES, the County and State where it was issued: \_\_\_\_\_ County, \_\_\_\_\_ State.

(Note: If there are more current restraining or protection orders against the Defendant or against you and /or the person(s) for whom you are applying, please attach additional 8"x11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these Orders were issued).



**V. Child(ren)**  
 The name(s) and age(s) of any child(ren) of the Defendant and me and/or the person(s) for whom I am applying, who are under 19 years old AND have been living in my household or the household of the person(s) for whom I am applying:

Name: <u>                    Stallings                    </u>	Age: <u>5</u>
Name: <u>                    Stallings                    </u>	Age: <u>2</u>
Name: _____	Age: _____
Name: _____	Age: _____

B. Is there a custody order concerning any of the above children?  YES  NO not yet!

C. For the last six months, the child(ren) (has) have lived (in what State and with whom):

Child: <u>                    Stallings                    </u>	Lived with: <u>Jessica Stallings</u>	State: <u>AL</u>
Child: <u>                    Stallings                    </u>	Lived with: <u>Jessica Stallings</u>	State: <u>AL</u>
Child: _____	Lived with: _____	State: _____

**VI. Residence** \* They recently moved in with Richard Burnett their father.

THE DEFENDANT MAY BE REQUIRED TO MOVE FROM THE PLAINTIFF'S RESIDENCE, IF THE RESIDENCE IS IN THE SOLE NAME OF THE PLAINTIFF, IF IT IS JOINTLY OWNED OR RENTED BY THE PLAINTIFF AND THE DEFENDANT, OR IF THE PARTIES ARE MARRIED TO EACH OTHER.

The place where I (or the person(s) for whom I am applying) live is: Owned by:  me;  the Defendant; or  both of us. \* requiring

Rented by:  me;  the Defendant; or  both of us.

The Plaintiff must notify the Court of any change(s) in address.

**VII. Ex Parte Relief Requested (Please Check The Boxes To Show What You Want):**

I am asking the Court for the following for myself and/or the person(s) for whom I am applying  
 (Note: The word, "Plaintiff," is used in the following items to describe you and/or the persons(s) for whom you are applying):

- (1) Enjoin the Defendant from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (2) Further restrain and enjoin the Defendant from harassing, stalking or threatening or engaging in conduct that would place in reasonable fear of bodily injury, the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (3) Further restrain and enjoin the Defendant from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or  Any designated family or household member, to wit: \_\_\_\_\_
- (4) Further restrain and enjoin the Defendant from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the:  Plaintiff; and/or  Minor(s); and/or  Minor child(ren); and/or Any designated family or household member, to wit: \_\_\_\_\_

Form C-2 (Page 4 of 5)  
Rev. 2/2005

PETITION FOR PROTECTION FROM ABUSE

Case Number

- (5) Order the Defendant to stay away from: The Plaintiff's  residence  place of employment  school; and/or The Minor(s) and/or Minor Child(ren)'s:  residence  place of employment;  school; and/or  Any specified place, which the Defendant has no legitimate reason to frequent as designated below, frequented by  the Plaintiff; and/or  the minor(s); and/or  minor child(ren); and/or  any designated family/household member. Name(s) and location(s) of the other specified place(s):
- (6) Award temporary custody of the minor child(ren) to \_\_\_\_\_  
(Please specify the name of the person to whom custody should be given)
- (7) Restrain and enjoin the Defendant from interfering with the Plaintiff's efforts to remove the Plaintiff's child(ren) from the  home; and/or  school, and  direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove the Plaintiff's child(ren).
- (8) Restrain and the enjoin the Defendant from removing the minor child(ren) from \_\_\_\_\_  
(the individual having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation Order issued by a Court of competent jurisdiction).
- (9) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) Prohibit the Defendant from  transferring;  concealing;  encumbering; or  otherwise disposing of specified property mutually owned or leased by the parties (Please describe property):  
car, etc
- (11) Restrain and enjoin the Defendant from interfering with the Plaintiff's employment.
- (12) Award any other relief deemed necessary to provide for the safety and welfare of the:  Plaintiff; and/or  Minor(s); and/or  Minor children; and/or  Any designated family or household member, as follows:

VIII. Additional relief requested for final hearing:  
In addition to the relief requested above in, "VII Ex Parte Relief Requested", I request the following relief for myself and/or the person(s) for whom I am applying:

- (13) Order the Defendant to comply with the following visitation arrangements of any minor child(ren):  
 Visitation;  Deny visitation;  Require supervision by a third party.  
(Please specify supervision arrangements below):
- (14) Order the Defendant to pay attorney's fees and Court costs.
- (15) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by:  evicting the Defendant;  restoring possession to the Plaintiff; or  both; or  agreeing to allow the Defendant to provide suitable alternate housing.
- (16) Order the Defendant to pay temporary reasonable child support to the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must Attach COMPLETED copies of Form CS-41, Child Support Obligation Income Statement/Affidavit, Form CS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

Form C-2 (Page 5 of 5)  
Rev. 2/2005

PETITION FOR PROTECTION FROM ABUSE

Case Number

(17) Order the Defendant to provide temporary possession of the vehicle (description): \_\_\_\_\_ to the Plaintiff

because the Plaintiff has no other means of transportation of his or her own and the Defendant  has control of more than one vehicle; or  has alternate means of transportation.

(18) Incorporate another  custody order (Case Number, County, State: \_\_\_\_\_); or visitation order (Case Number, County, State: \_\_\_\_\_);  support order (Case Number, County, State: \_\_\_\_\_) into this Order.

(19) Order the Defendant to surrender all firearms.

(20) Order that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.

(21) Direct the appropriate law enforcement office to accompany the Plaintiff to:  the residence of the parties; and/or  another location, \_\_\_\_\_ (description of location), as necessary to enforce any of the terms of this Order.

(22) Order other relief not requested above  
(describe): he had a vehicle which the title was panned in my name and I want him to return it so the title person can have it back, bc i'm gonna get charged for it and he has it.

Before me, the undersigned authority, personally appeared the Plaintiff, who is known to me or presented an identification card to me, and who being duly sworn, deposes and says that he/she has read the foregoing Petition for Protection from Abuse and that the facts herein are true and correct.

Sworn to and subscribed before this, the 5<sup>th</sup> day of March

**FILED**  
MAR 05  
Circuit Court  
DEKALB COUNTY

Jessica Stallings  
Plaintiff (Please print)

[Signature]  
Plaintiff (Signature)

[Signature]  
Judge/Clerk of Court/Notary Public  
(Notary: my commission expires \_\_\_\_\_)

Business Address and Telephone Number of Judge/Clerk of Court/Notary Public  
Copy-Plaintiff Copy-Defendant

Original-Court Record Copy-Law Enforcement

16715

State of Alabama Unified Judicial System Form C-15 Rev.10/92	<b>ORDER OF SERVICE AND RETURN</b>	Case Number <u>Dr 09-98</u>
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IN THE District COURT OF DeKalb County, ALABAMA  
Stallings v. Barnett  
 Plaintiff Defendant

(For Juvenile cases only):  
 In the Matter of \_\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA OR ANY OTHER AUTHORIZED PERSON:

You are hereby commanded to deliver the attached document(s), namely \_\_\_\_\_

Protection From ABUSE

to (name) Richard Barnett, Jr  
3600 Ad 897 G, 108  
Sylvania, AL

at home address (including city, state, and zip code) \_\_\_\_\_  
630-7738

and make return to this court \_\_\_\_\_

Date 3-13-09 Signature of Court Clerk R. Rempou By \_\_\_\_\_

**RETURN ON SERVICE**

I hereby certify that I personally delivered a copy of the attached document(s)

In DeKalb Co., Alabama to:  
 (Name of County or Municipality)

Name: Richard Barnett JR on (Date) 3-17-09

Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Address of Server: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

[Signature]  
 Signature of Server  
D.S.  
 Type of Process Server

ATS 3-17-09 @ 11:30 Am D-35