

IN THE SUPERIOR COURT OF GUAM

<div>Petitioner,</div> <div>vs.</div> <div>Respondent.</div>	<div>Protective Order Case No. _____</div> <div>ORDER TO SHOW CAUSE TEMPORARY ORDER OF PROTECTION</div> <div>OSC - FV</div>
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PETITIONER:

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB):

Petitioner's Date of Birth: _____

Other Protected person(s) (list name and DOB)

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

Respondent's Distinguishing features: _____

RESPONDENT'S IDENTIFIERS:

Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth:	Race:	Height:
Weight:	Eye Color:	Hair Color:	Skin Tone:
Social Security Number:			
Driver's License #:	State Issued:	Expiration Date:	

CAUTION: ☐ WEAPON INVOLVED

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a “family or household” member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d).

Petitioner has pled “immediate and present danger of abuse” as provided by 7 GCA § 40101(b). For good cause shown, the Court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to Respondent. Respondent will be served with notice of their opportunity to be heard at the scheduled hearing stated below.

II. THE COURT HEREBY ORDERS:

1. Respondent is enjoined from harassing, abusing, threatening, using or attempting to use physical force or cause bodily injury to me and other protected persons;
2. Respondent is enjoined and restrained from disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
3. Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
4. Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. THE COURT FURTHER ORDERS:

- ☐ **Surrender Weapons:** Respondent must immediately surrender any firearms, other dangerous weapons or concealed pistol licenses to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive any of those items. This provision expires upon the expiration of this Order of Protection.
- ☐ **Vacate shared residence:** Respondent must immediately vacate the shared residence. Respondent may take Respondent person’s clothing, personal items needed during the duration of the order, and these items: _____

 from the residence while a law enforcement officer is present.
- ☐ **Vehicle:** The protected person shall have use of the following vehicle:
 Year: _____ Make: _____ Model: _____ License #: _____
- ☐ **Documents:** Respondent shall turn over documentation of health, automobile or homeowners insurance, documents needed for purposes of proving identity, a key, or other necessary specified personal effects: _____

☐ Other: _____

IV. THE COURT ORDERS CUSTODY/VISITATION:

1. Custody

☐ Petitioner is granted temporary ☐ legal and/or ☐ physical custody of the minor child(ren);

☐ the minor(s) mentioned above.

☐ these minors only:

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

☐ Respondent is enjoined and restrained from interfering with Petitioner's custody of the minor children;

☐ Parties shall not remove the minor children of the parties from the Territory of Guam;

2. Visitation: The following conditions on the exchange of custody between the Protected Person and Respondent: *(include details such as exchanges, meeting location, and pickup and drop off)*

☐ Exchange location: _____

☐ ☐ Every / ☐ Every other weekend from _____ at _____ a.m./p.m. through _____ at _____ a.m./p.m., starting on _____.

☐ Visitation to be supervised at _____ every _____ at _____ a.m./p.m.

☐ HOLIDAYS: Share all major holidays including, Christmas, New Years, Easter & Thanksgiving; Share Child/ren(s) birthday, Father's Day w/Father, Mother's Day w/Mother.

☐ Additional visits may be arranged by parties.

☐ Other: _____

NOTICE TO APPEAR: RESPONDENT IS ORDERED to appear on _____ at _____ **.M.** in the Superior Court of Guam, **to SHOW CAUSE** why the above orders should not continue or be made permanent, as well as any other orders the Court deems necessary.

To attend or to participate in the hearing, you may (1) appear in person at the Guam Judicial Center; Or (2) appear remotely at <https://guamcourts-org.zoom.us> and enter

Meeting ID: _____ Passcode: _____

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER § 9 GCA § 30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS \$1,000 OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$25 OR BY IMPRISONMENT OF NOT MORE THAN 5 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

FEDERAL LAW PROVIDES PENALTIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922 (g)(8) and (9)) FOLLOWING AN EVIDENTIARY HEARING AS TO WHICH THE DEFENDANT HAD NOTICE AND AN OPPORTUNITY TO APPEAR. THIS ORDER SHALL BE ENFORCED, EVEN WITHOUT REGISTRATION, BY THE COURTS AND LAW ENFORCEMENT OFFICERS OF ANY STATE, THE DISTRICT OF COLUMBIA, ANY U.S. TERRITORY, AND MAY BE ENFORCED BY TRIBAL LANDS (18 U.S.C. §2265). CROSSING STATE, TERRITORIAL, OR TRIBAL BOUNDARIES TO VIOLATE THIS ORDER MAY RESULT IN FEDERAL IMPRISONMENT (18 U.S.C. §2262).

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ **AT** _____ **:_____ A.M./P.M.**