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| LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL COURT | PERSONAL PROTECTION ORDER (NONDOMESTIC) <input type="checkbox"/> EX PARTE | CASE NO. |
|---|---|-----------------|

Court address _____ Court telephone no. _____
 ORI _____
 MI- _____

| | | |
|--|---|---|
| A Petitioner's name <hr/> Address and telephone no. where court can reach petitioner | v | Respondent's name, address, and telephone no. <hr/> Address and telephone no. where court can reach respondent |
|--|---|---|

| | | | | | | | | |
|--|--------|--------|-------|-----------------------|------------|-----------|-------------------------------|------------------------------------|
| B Full name of respondent (type or print) * | | | | | | | | Driver's license number (if known) |
| Height | Weight | Race * | Sex * | Date of birth or age* | Hair color | Eye color | Other identifying information | |

*These items **must** be filled in for the police/sheriff to enter on LEIN; the other items are not required but are helpful.

Date: _____ Judge: _____ Bar no. _____

1. This order is entered without a hearing. after hearing.

THE COURT FINDS:

- 2. A petition requesting an order to restrain conduct prohibited under LRB 11-400-03, MCL 750.411h and MCL 750.411i and/or MCL 750.411s has been filed under the authority of LRB 04-400-05 and MCL 600.2950a.
- 3. Petitioner requested an ex parte order, which should be entered without notice because irreparable injury, loss, or damage will result from delay required to give notice or notice itself will precipitate adverse action before an order can be issued.
- 4. Respondent committed the following acts of willful, unconsented contact: (State the reasons for issuance.)

IT IS ORDERED:

- 5. _____ is prohibited from
 - Full name of respondent
 - a. stalking as defined under LRB 11-400-03, MCL 750.411h and MCL 750.411i, which includes but is not limited to
 - following or appearing within sight of the petitioner.
 - appearing at the workplace or the residence of the petitioner.
 - approaching or confronting the petitioner in a public place or on private property.
 - entering onto or remaining on property owned, leased, or occupied by the petitioner.
 - sending mail or other communications to the petitioner.
 - contacting the petitioner by telephone.
 - placing an object on or delivering an object to property owned, leased, or occupied by the petitioner.
 - threatening to kill or physically injure the petitioner.
 - purchasing or possessing a firearm.
 - other: _____
 - b. posting a message through the use of any medium of communication, including the Internet or a computer or any electronic medium, pursuant to LRB 04-400-05 and MCL 750.411s.
- 6. Violation of this order subjects the respondent to immediate arrest and to the civil and criminal contempt powers of the court. If found guilty, respondent shall be imprisoned for not more than 93 days and may be fined not more than \$500.00.
- 7. **This order is effective when signed, enforceable immediately, and remains in effect until _____.**
 This order is enforceable anywhere in this state by any law enforcement agency when signed by a judge, and upon service, may also be enforced by another state, an Indian tribe, or a territory of the United States. If respondent violates this order in a jurisdiction other than this state, respondent is subject to enforcement and penalties of the state, Indian tribe, or United States territory under whose jurisdiction the violation occurred.
- 8. The court clerk shall file this order with _____ who will enter it into the LEIN.
- 9. Respondent may file a motion to modify or terminate this order. For ex parte orders, the motion must be filed within 14 days after being served with or receiving actual notice of the order. Forms and instructions are available from the clerk of court.
- 10. A motion to extend the order must be filed 3 days before the expiration date in item 7, or a new petition must be filed.

Date and time issued _____ Judge _____

PROOF OF SERVICE

**Personal Protection Order
(Nondomestic)**
Case No. _____

TO PROCESS SERVER: You must serve the personal protection order and file proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

OFFICER CERTIFICATE

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

OR

AFFIDAVIT OF PROCESS SERVER

Being first duly sworn, I state that I am a legally competent adult who is **not** a party or an officer of a corporate party, and that: (notarization required)

I served a copy of the personal protection order by

personal service on: registered mail, delivery restricted to the respondent (return receipt attached) on:

| | | |
|------------------------|-----------------------------|-----------------|
| Name of respondent | Complete address of service | Day, date, time |
| Law enforcement agency | Complete address of service | Day, date, time |

I have personally attempted to serve a copy of the personal protection order on the following respondent and have been unable to complete service.

| | |
|-------------------|-----------------------------|
| Respondent's name | Complete address of service |
|-------------------|-----------------------------|

I declare that the statements above are true to the best of my information, knowledge, and belief.

| | | | |
|-----------------------|----------------|-----|------------------|
| Service fee | Miles traveled | Fee | |
| \$ | | \$ | |
| Incorrect address fee | Miles traveled | Fee | TOTAL FEE |
| \$ | | \$ | \$ |

Signature _____
Name (type or print) _____
Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____
Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received a copy of the personal protection order on _____.
Day, date, time

Signature of respondent

**LITTLE RIVER BAND OF OTTAWA
INDIANS
TRIBAL COURT**



**PERSONAL PROTECTION ORDER
(NONDOMESTIC)**

Use this form if you filled out the Petition for Personal Protection Order (Nondomestic) form.

INSTRUCTIONS FOR COMPLETING "PERSONAL PROTECTION ORDER (NONDOMESTIC)"

Please print neatly.

Items A and B must be completed before you give this form to the court clerk. Please read the instruction for each item. Then fill in the correct information for that item on the form.

- A** Fill in the "petitioner" and "respondent" the same way you did on the Petition for Personal Protection form. **If you want your address and telephone number to be kept from the respondent, do not write your address here. Put in the address of a relative or friend or a post office box where the court can contact you.**
- B** Write in the respondent's name and as much of the other information as you know. This information will help the police identify the respondent if he or she disobeys the restraining order. Be sure to identify the respondent accurately. **The race, sex, and date of birth are required for law enforcement to enter an order on the Law Enforcement Information Network (LEIN).**

The court will complete the rest of this form.

You are responsible for having the Personal Protection Order served upon the Respondent. Please complete the Proof of Service after service has been completed & submit to the Court.

Important:

If the respondent violates this personal protection order and is arrested, the court will set a date, time, and place for a hearing on the charges against the respondent to be held within 72 hours after arrest. The court or prosecutor is responsible for giving you notice of this hearing. If you are not notified within 24 hours of the arrest, contact the court that issued this order. If a hearing is not held within 72 hours, the respondent may be released from jail after posting bond pending the hearing.

If the respondent violates this personal protection order and there is no arrest, complete the *Motion and Order to Show Cause for Violating Valid Personal/Foreign Protection Order* form. This form is available from the Tribal Court.