

Case No. _____
Dept. No. _____

IN THE JUSTICE COURT OF HAWTHORNE TOWNSHIP
COUNTY OF MINERAL, STATE OF NEVADA

TEMPORARY PROTECTION ORDER

Applicant,

STALKING/HARASSMENT
NRS.200.591

vs.

AGGRAVATED STALKING
NRS 200.591

Adverse Party.)

HARASSMENT NRS 200.591

SEXUAL ASSAULT NRS 200.378

Date Issued: _____

Expiration Date: _____

YOU, THE ADVERSE PARTY, ARE HEREBY NOTIFIED THAT ANY INTENTIONAL VIOLATION OF THIS ORDER IS A CRIME and can result in your immediate arrest or issuance of an arrest warrant. Unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order, a violation of a Temporary Order for Protection --- Sexual Assault is a gross misdemeanor which is punishable by imprisonment in the county jail for not more than one (1) year, or by a fine of not more than \$2,000, or both.

YOU ARE FURTHER NOTIFIED, PURSUANT TO NRS 193.166, if the act that constitutes the violation of a protection order is itself a felony, the violator shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years.

YOU ARE FURTHER NOTIFIED that you **CAN BE ARRESTED** even if the person who obtained the order invites or allows you to contact them. You have the **sole responsibility** to avoid or refrain from violating the terms of this order. Only the Court can change the order upon written application.

YOU ARE FURTHER NOTIFIED, this order may meet the Full Faith and Credit provisions of the Violence Against Women Act and may be enforceable in all 50 states, the District of Columbia, U.S. Territories and Indian Nations pursuant to 18 U.S.C. Sec. 2265. Violation of the order may subject you to federal charges and punishment pursuant to 18 U.S.C. Sec. 2261(a)(1) and (2) and 2262(a)(1) and (2).

1 **YOU ARE FURTHER NOTIFIED THAT** if you are arrested for violating this
2 order, you will not be admitted to bail sooner than 12 hours after your arrest if:

3 (a) The arresting officer determines that such a violation is accompanied by a direct or
4 indirect threat of harm;

5 (b) You have previously violated a temporary or extended order for protection; or

6 (c) At the time of the violation or within 2 hours after the violation, you have:

7 (1) A concentration of alcohol of 0.08 or more in your blood or breath; or

8 (2) An amount of a prohibited substance in your blood or urine that is equal to or greater
9 than the amount set forth in subsection 3 of NRS 484C.110.

10 An Application for a Temporary Protection Order has been filed by the above-named
11 Applicant and reviewed by the Court. The Court has jurisdiction over the parties and the subject
12 matter, and good cause appearing, **YOU ARE HEREBY ORDERED** as follows:

13 1. **YOU ARE PROHIBITED**, either directly or indirectly, or through an agent, from
14 contacting, intimidating, threatening, or otherwise interfering in any way with the Applicant and/or
15 the following persons:

16 _____
17 _____
18 _____
19 _____
20 including, but not limited to, in person, by telephone, through the mail, through electronic mail
21 (e-mail), text messaging, or facsimile (fax).

22
23 2. **YOU ARE ORDERED** to stay away from the following places:

24 Residence(s): _____
25 _____
26 _____
27 _____
28 _____

1

Place(s) of Employment (Name & Address): _____

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School(s) (Name & Address): _____

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Other Locations (Name & Address): _____

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3. **YOU ARE FURTHER ORDERED:** _____

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1 4. If an application for an Extended Order is filed within the effective period of this Temporary
2 Order, this Temporary Order will remain in effect until the hearing on an Extended Order is held.

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4 5. **UNLESS LATER MODIFIED BY THE COURT, THIS ORDER WILL**
5 **REMAIN IN EFFECT:**

6 **UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE 1**

7
8 **FOR 30 DAYS AFTER THIS ORDER IS SERVED. IF THIS ORDER IS**
9 **NOT SERVED WITHIN 30 DAYS OF THE ISSUANCE DATE NOTED**
10 **ON PAGE 1 OF THIS ORDER, THE ORDER WILL EXPIRE BY ITS**
11 **OWN TERMS, AND A NEW APPLICATION FOR AN ORDER MUST**
12 **BE FILED IF PROTECTION IS NEEDED.**

13 **UNTIL THE HEARING ON THE EXTENDED ORDER HAS BEEN**

14 **HELD.** A hearing on the issuance of an Extended Order is set in Hawthorne Justice

15 Court at: _____ A.M. P.M. on the _____ day of

16 _____, 20____. YOU and YOUR witnesses may
17 approach and enter the Courthouse to attend the hearing but must stay away from
18 Applicant, any other person named in this Order, and the Applicant's witnesses while
19 approaching, leaving, and within the Courthouse.

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21 6. **IT IS FURTHER ORDERED** that the Clerk of the Court shall transmit a copy of this Order
22 together with the Application, to the Mineral County Sheriff's Office and/or the Constable and/or any
23 other appropriate law enforcement agency.

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25 7. **IT IS FURTHER ORDERED** that said law enforcement agency will promptly attempt to
26 serve this Order and the Application upon the Adverse Party, without charge to the Applicant, and
27 upon service, shall file a Return of Service form with the Court by the end of the next business day.
28

NOTICE TO LAW ENFORCEMENT

Any law enforcement officer, with or without a warrant, may arrest and take into custody the Adverse Party, when the law enforcement officer has probable cause to believe that (a) a Protection Order—Sexual Assault has been issued pursuant to NRS 200.378 against the Adverse Party; (b) the Adverse Party has been served with a copy of the Order; and (c) the Adverse Party is acting or has acted in violation of the Order. This arrest may occur regardless of whether the violation occurred in the officer's presence.

Any law enforcement agency in this state may enforce a Protection Order issued pursuant to the Nevada Revised Statutes, without regard to the county in which the Order is issued.

IT IS SO ORDERED this _____ day of _____, 20_____.

JUDGE

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FIREARMS ADDENDUM

Any violation of the following is a gross misdemeanor under Nevada law (NRS 33.031).

This Court has considered, among other factors: (1) whether you have a documented history of domestic violence; (2) whether you have used or threatened to use a firearm to injure or harass the Applicant, a minor child(ren), or any other person; (3) whether you have used a firearm in the commission or attempted commission of any crime, and:

Pursuant to Nevada Revised Statutes Chapter 33, **THIS COURT ORDERS** the following:

☐ **YOU ARE PROHIBITED** from possessing or having under your custody or control any firearm while this Order is in effect.

☐ Within 24 hours after service of this Order you shall:

☐ surrender ☐ sell ☐ transfer

all firearms in your possession or under your custody or control to

(transferee)

You must contact law enforcement before approaching a law enforcement officer or law enforcement facility with firearm(s).

Not later than 72 hours or 1 business day, whichever is later, after the surrender, sale, or transfer of such firearm(s), you shall provide a receipt to the Court from the transferee. The receipt shall include the name and address of the transferee and a written description of each such firearm.

YOU ARE GRANTED a limited employment exception from the prohibition noted above because you have established that:

(1) the possession or use of a firearm(s) is an integral part of your employment with:

Name of Employer _____

1 Employer's Representative _____

2 Employer's Address _____

3 Employer's County, City, State _____

4 Employer's Telephone Number _____

5 AND

6 (2) your employer agrees to store/safeguard your firearm(s) when you are not working, and
7 sufficient proof to that effect has been provided to the Court. The firearm(s) that you may possess while
8 you are working is/are: (for example: make, model, caliber, serial number, etc.)

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15 ☐ Other: _____
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PROTECTION ORDER
(Other than Domestic Violence)
RETURN OF SERVICE

Case No. _____
Dept. No. _____

(Name) Applicant,

VS.

(Name) Adverse Party.

IN THE JUSTICE COURT OF HAWTHORNE TOWNSHIP
COUNTY OF MINERAL, STATE OF NEVADA

OR

IN THE _____ JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF _____

TYPE OF ORDER SERVED

USE THE SEPARATE *RETURN OF SERVICE* FORM FOR DOMESTIC VIOLENCE PROTECTION ORDERS.

I HEREBY CERTIFY THAT ON _____ I RECEIVED:

(DATE)

☐ Temporary Protection Order

☐ Stalking / Harassment

☐ Of Children

☐ Sexual Assault

☐ Extended Protection Order

☐ Stalking / Harassment

☐ Of Children

☐ Sexual Assault

☐ Motion/Notice for Hearing to Extend, Modify or Dissolve Protection Order

☐ Order for Hearing to Extend, Modify or Dissolve Protection Order

☐ Foreign Order (describe in terms of State/County/City & Court Issued from):

☐ Other (describe): _____

The Order shall be served by the constable, OR by a deputy, OR by the sheriff of the county where the defendant is found,
OR by a deputy, OR by any person who is not a party and who is over 18 years of age.

I DECLARE UNDER PENALTY OF PERJURY THAT I:

☐ **PERSONALLY SERVED** the same upon the Adverse Party/Applicant _____,

(Name)

on _____ at _____, who identified himself/herself by or with: _____,
(Date) (Time) (Type of Identification)

at (location): _____,

City of _____, County of Mineral, State of Nevada.

NOTE TO LAW ENFORCEMENT: Protection Order must be served personally upon the Adverse Party and may not be left with a member of the household.

☐ **ATTEMPTED TO SERVE** same on: _____, _____, and _____.
The Adverse Party/Applicant was not found and service was NOT effected.

SIGNATURE (Officer/Person Serving Order/ID Number)

Print Name (Officer/Person Serving Order)

Print Address (Officer/Person Serving Order)

SIGNATURE (Adverse Party/Witness, if applicable)

Print Name and Address (Adverse Party/Witness)