

PRELIMINARY PROTECTIVE ORDER — FAMILY ABUSE

Commonwealth of Virginia Va. Code Ann. § 16.1-253.1

Court Case No.:

A-2997-0100

Hearing Date and Time:

A-14

31st Judicial District

Juvenile and Domestic Relations District Court
Wesley C. Smith, 11411 Huntsman Drive

Cheri Smith

v. Manassas, VA 20112

PETITIONER

RESPONDENT

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	M	5	26	65	6	1	180	BRN	BRN
SSN									
369-90-9588									

It appearing that the above-named persons are within the jurisdiction of the Juvenile and Domestic Relations District Court, the Petitioner having alleged in the petition that he/she is or has been, within a reasonable period of time, subjected to abuse and, after an ex parte proceeding when the petition is supported by:

☒ an affidavit

☒ sworn testimony before the judge or intake officer

and it further appearing that the Petitioner is a family or household member of the Respondent and that good cause has been shown that:

☐ There is evidence sufficient to establish probable cause that family abuse, including forceful detention, resulting in physical injury to the Petitioner or placing the Petitioner in reasonable apprehension of serious bodily injury has recently occurred; or

☒ The health and safety of the Petitioner or a household member of the Petitioner is in danger because of a finding that there is immediate and present danger of family abuse;

it is therefore ORDERED that

☒ the Respondent shall refrain from committing acts of family abuse.

☒ the Respondent shall grant the Petitioner possession of the premises occupied by the parties located at

11411 Huntsman Dr Manassas and the Respondent shall immediately leave and stay away from the residence; however, no such grant of possession shall affect title to any real or personal property.

☒ the Respondent shall grant the Petitioner temporary exclusive possession or use of a motor vehicle jointly owned by the parties or owned by the Petitioner alone, described as follows: 1998 SATURN SL2
Such grant shall not affect title to the vehicle.

☐ the Respondent shall provide suitable alternative housing for the ☐ Petitioner ☐ family or household members as follows:

☒ the Respondent shall have no further contact of any type with the Petitioner except as follows:

☒ no exceptions

☒ the Respondent shall refrain from having contact with
to protect their safety except as follows:

Liam Smith
no contact

9/20/02

☐ B.A. ROSS

1341

09/20/02 1800

10101

B.A. ROSS 09/20/02 1800

NO SERVICE

It is further ORDERED that a protective order hearing on the petition be held at this Court on 10/1/02 at 1:30 PM and that notice of this hearing be given to the Respondent who is the alleged abuser.

DATE

JUDGE

The terms "family abuse" and "family or household member" are defined on the reverse side of this order.

WARNING TO RESPONDENT: PURSUANT TO § 18.2-308.1:4, YOU SHALL NOT PURCHASE OR TRANSPORT ANY FIREARM WHILE THIS ORDER IS IN EFFECT. IF YOU HAVE A CONCEALED HANDGUN PERMIT, YOU MUST IMMEDIATELY SURRENDER THAT PERMIT TO THE COURT ISSUING THIS ORDER. IF YOU VIOLATE THE CONDITIONS OF THIS ORDER, YOU MAY BE SENTENCED TO JAIL AND/OR ORDERED TO PAY A FINE. THIS ORDER WILL BE ENTERED ON THE VIRGINIA CRIMINAL INFORMATION NETWORK. YOU MAY AT ANY TIME FILE A MOTION WITH THE COURT REQUESTING A HEARING TO DISSOLVE OR MODIFY THIS ORDER.

RETURNS: Each person was served according to law, as indicated below, unless not found.

RESPONDENT:	
NAME <u>SMITH, WESLEY CLAY</u>	
ADDRESS <u>11411 HUNTSMAN DR</u> <u>MANASSAS VA 20112</u>	
<input checked="" type="checkbox"/> PERSONAL SERVICE	TELEPHONE NUMBER <u>703-368-8544</u>
<input type="checkbox"/> NOT FOUND	
_____ SERVING OFFICER	
For <u>PWCPD 076</u> <u>09/20/02 1806</u> DATE AND TIME	
Respondent's Description (for VCIN entry):	
RACE <u>W</u>	SEX <u>M</u>
DOB: <u>05/26/1965</u>	
HGT <u>6'1"</u>	WGT <u>175</u>
EYES <u>BR</u>	HAIR <u>BR</u>
SSN <u>369-90-9588</u>	
Relationship to Petitioner/Plaintiff <u>HUSBAND</u>	
Distinguishing features _____	

PETITIONER: (See form DC-621, NON-DISCLOSURE ADDENDUM)	
NAME _____	
<input type="checkbox"/> PERSONAL SERVICE	
<input type="checkbox"/> NOT FOUND	
_____ SERVING OFFICER	
for _____	
_____ DATE AND TIME	

"Family abuse" means any act involving violence, force, or threat including, but not limited to, any forceful detention, which results in bodily injury or places one in reasonable apprehension of bodily injury and which is committed by a person against such person's family or household member.

"Family or household member" means (i) the person's spouse, whether or not he or she resides in the same home with the person, (ii) the person's former spouse, whether or not he or she resides in the same home with the person, (iii) the person's parents, stepparents, children, stepchildren, brothers and sisters, grandparents and grandchildren regardless of whether such persons reside in the same home with the person, (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, or (v) any individual who has a child in common with the defendant, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous twelve (12) months, cohabitated with the person, and any children of either of them residing in the same home with the person.