

IN THE _____ COURT OF _____, MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO. _____

DEFENDANT

CRIMINAL SEXUAL ASSAULT PROTECTION ORDER

This Court, pursuant to the authority granted by (check one) M.C.A. § 97-3-65, having found the above-named Defendant to be guilty of rape, or M.C.A. § 97-3-101, having found the above-named Defendant to be guilty of sexual battery, hereby issues a Sexual Assault Protection Order against the Defendant.

<p>Defendant's Information:</p> <p>Name: _____</p> <p>Address: _____</p> <p>Date of Birth: _____</p> <p>Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____</p> <p>Social Security #: _____</p> <p>Driver License #: _____</p> <p>Features: _____</p>	<p>Defendant: Caution and Medical Conditions (Check all that apply)</p> <p><input type="checkbox"/> Alcoholic <input type="checkbox"/> Allergies <input type="checkbox"/> Hemophiliac <input type="checkbox"/> Diabetic</p> <p><input type="checkbox"/> Epilepsy <input type="checkbox"/> Escape Risk <input type="checkbox"/> International Flight Risk</p> <p><input type="checkbox"/> Armed and Dangerous <input type="checkbox"/> Heart Condition <input type="checkbox"/> Explosive Expertise</p> <p><input type="checkbox"/> Known to Abuse Drugs <input type="checkbox"/> Martial Arts Expert</p> <p><input type="checkbox"/> Medication Required <input type="checkbox"/> Other _____</p>
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Relationship of Defendant to Victim(s):

<input type="checkbox"/> No relationship	<input type="checkbox"/> Persons with a child in common
<input type="checkbox"/> Current or former spouse	<input type="checkbox"/> Person in a current dating relationship or who formerly dated
<input type="checkbox"/> Persons living as spouses or who formerly lived as spouses	
<input type="checkbox"/> Parent, grandparent, child, grandchild or someone similarly situated	

Said order is issued for the protection of the person or persons listed below and defendant shall be subject all conditions contained herein until such time as this Order expires or is otherwise dismissed by this Court.

PERSON(S) PROTECTED:

This order is issued for the protection of _____

Date of birth _____ Sex _____ Race _____

Other persons protected under this order, where applicable:

LAST NAME	FIRST NAME	MIDDLE NAME	DOB (MM/DD/YYYY)	SEX	RACE

EXPIRATION DATE: _____

The Court orders that the above-named Defendant is subject to the following conditions (check all that apply):

Defendant is prohibited from abusing, harassing, stalking, following, threatening or contacting _____ in any manner whatsoever, including by electronic means, that would place that person in reasonable fear of bodily injury. This also includes the use, attempted use or threatened use of physical force against the victim or protected person(s) that would reasonably be expected to cause bodily injury.

Defendant is prohibited from contacting _____ by phone, by electronic communication, or through a third party.

Defendant is prohibited from going within _____ yards of the protected person(s) (to include place of employment, school, etc.).

Exceptions to contact and/or distance restrictions (please specify):

Other relief deemed necessary by this court:

Additional conditions (may be applicable if defendant and victim are/have been in a domestic relationship):

_____ is granted the exclusive use of the residence located at _____ (hereinafter referred to as "residence") to the exclusion of the Defendant and Defendant shall not enter upon the premises of the residence for any reason whatsoever except as maybe otherwise provided by the Court below. Defendant shall in no way interfere with the use and enjoyment of the residence by the protected person(s) by any act that prevents access to the residence or results in disconnection of services to the residence.

Defendant or a representative shall be allowed to retrieve the items listed below from the protected person(s) and/or residence **provided that Defendant is accompanied by a law enforcement officer to ensure the protection and safety of the parties. The law enforcement agency having jurisdiction in the locality of the protected person(s) and/or residence shall accompany the Defendant or representative at a date and time deemed appropriate by that agency.** Retrieval of said items shall be scheduled without delay and at a date and time most likely to result in successful retrieval of the necessary items. **NO FORCED ENTRY ALLOWED.**

Items to be retrieved:

Defendant is prohibited from transferring or disposing of property mutually owned or leased by Defendant and the protected person(s).

Other (please specify): _____

THE COURT FURTHER ORDERS:

- (1) A copy of this Order shall be provided to the Defendant and to the victim of the assault or his/her lawful representative.
- (2) Only the Court can modify, change or dismiss this Order or any provisions contained herein. The protected person(s) **CANNOT** waive the terms of this Order or give Defendant permission to violate this Order.
- (3) ANY LAW ENFORCEMENT OFFICER HAS THE DUTY TO ENFORCE THE TERMS OF THIS ORDER.
- (4) The issuance of this Order shall not prevent the assault victim or his/her lawful representative from seeking a Civil Domestic Abuse Protection order or other remedies otherwise available under the law.
- (5) The issuance of a subsequent Civil Domestic Abuse Protection Order shall not alter any condition contained herein, without prior written approval of this Court. A subsequent Civil Domestic Abuse Protection Order may impose conditions not otherwise contained in this Order to the extent that such conditions do not interfere with or impact a condition contained herein.

NOTICE TO DEFENDANT

Any knowing violation of this Order may subject you to arrest and prosecution for a misdemeanor which is punishable by a fine of up to \$1000.00 or by confinement in jail for as long as 6 months, or both. This order is enforceable by all law enforcement officers in Mississippi and may be enforceable in another state of the United States, a U.S. Territory or Tribal Territory.

THIS ORDER IS EFFECTIVE UNTIL _____, 20__.

So ORDERED and ADJUDGED, this the _____ day of _____, 20__.

Judge