

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

State of Georgia	:	
	:	Accusation
v.	:	No. _____
	:	
_____	:	
Defendant.	:	

**STALKING PERMANENT PROTECTIVE ORDER
PURSUANT TO CRIMINAL CONVICTION**

Defendant appeared before this Court and was convicted of stalking O.C.G.A. § 16-5-90. Pursuant to O.C.G.A. § 16-5-90(d) a permanent restraining order is issued to protect the victim and the members of the victim’s immediate family; therefore IT IS HEREBY ORDERED AND ADJUDGED:

1. [pco01,02] Defendant is hereby enjoined and restrained from doing or attempting to do, or threatening to do, any act constituting a violation of O.C.G.A. §§ 16-5-90 et seq. and of harassing, interfering, or intimidating _____ or his/her immediate family. Any future acts committed by the Defendant towards _____ which are in violation of this statute and this Protective Order can amount to AGGRAVATED STALKING, pursuant to O.C.G.A. § 16-5-91, which is a felony. A person convicted of Aggravated Stalking shall be punished by imprisonment for not less than 1 nor more than 10 years and by a fine of not more than \$10,000.00.
2. [pco01,04] Defendant is enjoined and restrained from approaching within _____ yards of _____ and/or her/his immediate family, and/or residence, place of employment, or school and any subsequent residence, workplace or school.
3. [pco05] Defendant is not to have any contact of any type, direct, indirect, or through another person with _____ or her/his immediate family, including but not limited to telephone, fax, e-mail, or any other means of communication.
4. That this Order be filed in the office of the Clerk of this Court.
5. This Order shall remain in effect permanently and shall not terminate unless modified by the Court.

ACCUSATION NO. _____

6. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94 (e) and 19-13-4 (d). Law enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.
7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Defendant received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Defendant's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY:

- _____ 8. Defendant is to receive appropriate psychiatric or psychological services.
- _____ 9. Protected party is either a spouse, former spouse, parent of a common child,
[pco07] child of a protected party, child of Defendant, cohabitates or has cohabited with Defendant and qualifies for 18 U.S.C. § 922(g)

SO ORDERED this _____ day of _____, 20_____.

JUDGE, SUPERIOR COURT
_____ County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO DEFENDANT

- 1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.**
- 2. This Order shall remain in effect unless specifically superseded by a subsequent Order signed and filed, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.**
- 3. If after a hearing, of which the Defendant received notice and opportunity to participate, a protective order is issued which restrains Defendant from harassing, stalking or threatening an intimate partner, Defendant is prohibited from possessing, receiving, or transporting a firearm or ammunition which has been shipped or transported in interstate or foreign commerce for the duration of the Order. 18 U.S.C. § 922(g).**
- 4. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior, follows, places under surveillance, or contacts another person on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Defendant to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.**

ACCUSATION NO. _____

Pursuant to O.C.G.A. § 19-13-3,

Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.

ACCUSATION NO. _____

REMOVE THIS PAGE FROM ORDER AND FILE SEPARATELY UNDER SEAL

**CONFIDENTIAL INFORMATION FORM - ATTENTION COURT STAFF:
THIS PAGE IS A RESTRICTED-ACCESS DOCUMENT.
This document is not accessible to the public or to other parties.**

***For transmittal to the Georgia Protective Order Registry and, if applicable,
the National Crime Information Center.***

DEFENDANT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Defendant's date of birth OR social security number)

Defendant's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Defendant's race is _____, ethnic background _____. Defendant has distinguishing marks (tattoos, scars, etc.) _____. Defendant drives a _____, license tag no: _____(Expires:____) and has a _____(state) driver's license no: _____(Expires:____). Defendant's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____. Defendant has the following known aliases: _____.

PROTECTED PARTIES' IDENTIFYING INFORMATION

Petitioner: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____

Transmitted to Georgia Protective Order Registry Date _____ Clerk _____