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17-2-30720-34  
PTORPRT 2  
Petition for Order for Protection  
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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2017 SEP 12 PM 1:57

Linda Myhre Enlow  
Thurston County Clerk

**Superior Court of Washington  
For Thurston County  
Family and Juvenile Court**

Heather Lynn Lund  
Petitioner  
Nicholas Brandon Lund  
Respondent

No. **17 2 30720 34**

**Petition for Order for Protection  
(PTORPRT)**

1.  I am a victim of domestic violence committed by the respondent.  
 A member of my family or household is a victim of domestic violence committed by the respondent.  
 I am a  guardian  guardian ad litem  next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is \_\_\_\_\_  
This person's identifying information is provided in paragraph 5 below.

2.  The victim lives in this county.  
 The victim left their residence because of abuse and this is the county of their new or former residence.

3. The victim's age is:  Under 16  16 or 17  18 or over  
Respondent's age is:  Under 16  16 or 17  18 or over

4. The victim's relationship with the respondent is:  
 spouse or former spouse  
 parent of a child in common  
 current or former domestic partner  
 current or former cohabitant as part of a dating relationship  
 current or former dating relationship  
 stepparent or stepchild  
 current or former cohabitant as roommate  
 in-law  
 parent or child  
 blood relation other than parent or child

5. Identification of Minors (if applicable)  No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	
Adalynn Diana-Rose Lund	2	white	F	daughter	daughter	mother
Walter Allen Lund	11mo	white	M	son	son	mother

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

<b>Case Name</b>			
<b>Case Number</b>			
<b>Court/County</b>			

I Request an Order for Protection following a hearing that will:

<sup>1</sup> **Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking  me  the minors named in paragraph 5 above  these minors only:

(If the court orders this relief, and the respondent is your spouse or former spouse, current or former domestic partner, the parent of a child in common, or a current or former cohabitant as part of a dating relationship, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order.)

<sup>2</sup> **Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of  me  the minors named in paragraph 5 above  only the minors listed below;  members of the victim's household listed below  the victim's adult children listed below:

<sup>3</sup> **Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with  me  the minors named in paragraph 5 above, subject to any court-ordered visitation  these minors only, subject to any court-ordered visitation:

4	<input checked="" type="checkbox"/> <b>Exclude</b> respondent from <input checked="" type="checkbox"/> our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my workplace <input type="checkbox"/> my school <input type="checkbox"/> the residence, day care, or school of <input type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:
You have a right to keep your residential address confidential.	
5	<input checked="" type="checkbox"/> <b>Direct</b> respondent to vacate our shared residence and restore it to me.
6	<input checked="" type="checkbox"/> <b>Prohibit</b> respondent from knowingly coming within, or knowingly remaining within <u>500</u> (distance) of <input checked="" type="checkbox"/> our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my workplace <input type="checkbox"/> my school <input type="checkbox"/> the day care or school of <input type="checkbox"/> the minors named in paragraph 5 above. <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:
7	<input checked="" type="checkbox"/> <b>Grant</b> me possession of essential personal belongings, including the following:  <u>keys to house</u>
8	<input checked="" type="checkbox"/> <b>Grant</b> me use of the following vehicle: Year, Make & Model <u>VW Jetta 2011</u> License No. _____
9	<input type="checkbox"/> <b>Other:</b>
Protection involving a minor:	
10	<input checked="" type="checkbox"/> Subject to any court-ordered visitation, <b>Grant</b> me the care, custody and control of <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
11	<input checked="" type="checkbox"/> <b>Restrain</b> respondent from interfering with my physical or legal custody of <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
12	<input checked="" type="checkbox"/> <b>Restrain</b> the respondent from removing from the state: <input checked="" type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:
Additional Requests:	
13	<input checked="" type="checkbox"/> <b>Direct</b> the respondent to participate in appropriate treatment or counseling services.
14	<input checked="" type="checkbox"/> <b>Require</b> the respondent to pay the fees and costs of this action.
15	<input checked="" type="checkbox"/> <b>Remain Effective</b> longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.

Protection involving pets.

<sup>16</sup> **Grant** me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.):

Emma dog

<sup>17</sup> **Prohibit** respondent from interfering with my efforts to remove the pet(s) named above.

<sup>18</sup> **Prohibit** respondent from knowingly coming within, or knowingly remaining within 500 FT (distance) of the following locations where the pet(s) are regularly found:

petitioner's residence (You have a right to keep your residential address confidential.)

\_\_\_\_\_ Park

other: \_\_\_\_\_

Protection from Firearms and Other Dangerous Weapons

<sup>19</sup> **Require** the respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license, and prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license.

Notice: If you **are** the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol license.

**I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:**

An emergency exists as described below. I request that a **Temporary Order for Protection** granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.

I also request temporary surrender of a firearm or other dangerous weapon without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

Nick Lund will go in a rage directed towards me & potentially physically harm me

Request for Special Assistance From Law Enforcement Agencies:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- Possession of my residence.  Possession of the vehicle designated above.
- Possession of my essential personal belongings at  the shared residence  respondent's residence
- other location \_\_\_\_\_

~~of~~  Custody of  the minors named in paragraph 5 above  these minors only (if applicable):

Other: KEYS to house

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

**Statement:** The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

- 9-2-2017 - Nick Lund grabbed a loaded .38 mm pistol from the kitchen cabinet & jammed the barrel in my forearm he then proceeded to wave the gun ~~at~~ angrily around in front of my mother & kids while claiming he was going to commit a homicide / suicide
- approx late July 2017 - picked up a 2-drawer metal filing cabinet & threatened to "bash me over the skull" w/ it - in front of our children
- approx July 2016 - shoved me violently while I was pregnant w/ our son.
- approx August 2013 - strangled my neck until I nearly lost consciousness while saying "Nobody will hear you scream"

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

Nick just threatened a homicide / suicide w/ a loaded gun which he pointed the barrel at me while our kids & my mother were in the house - 9/02/17

Describe any violence or threats towards children: No violence towards the kids, but have been present for incidents

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor: Nick just locked me out of our house & had me wander the streets - 9/10/2017

Nick publicly shames me  
He won't stop calling/texting me when asked

Describe medical treatment you received and for what:

Describe any threats of suicide or suicidal behavior by the respondent: Nick drove off on 9/2 & he threatened suicide w/ the gun & that he would make it look like an accident

Does the respondent own or possess firearms?  Yes  No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

Yes. On 9/2 he grabbed the loaded .38 pistol and threatened a homicide/suicide w/ it our kids were in the house

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

On 9/12 he pointed and loaded gun to his forehead & forced my hands on the gun

Has the respondent previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

He has threatened me w/ a gun

Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual?

Please describe:

Yes. He is prone to out-of-control rages where he can be capable of most things.

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

He has been chronically abusing me our whole marriage

Other:

(Continue on separate page if necessary.)

Check box if substance abuse is involved:  alcohol  drugs  other

Personal service cannot be made upon respondent within the state of Washington.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 9-11-2017 at Tumwater, Washington.

*[Signature]*  
Signature of Petitioner

You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents:

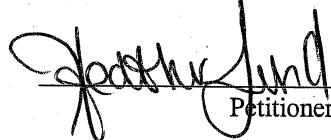




<input checked="" type="checkbox"/>	<p>This state is the home state of the children because:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding.</li> <li><input type="checkbox"/> the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.</li> <li><input type="checkbox"/> any absences from Washington have been only temporary.</li> <li><input type="checkbox"/> Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.</li> </ul>
<input checked="" type="checkbox"/>	<p>The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> the children have no home state elsewhere.</li> <li><input type="checkbox"/> the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.</li> </ul>
<input checked="" type="checkbox"/>	<p>All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.</p>
<input checked="" type="checkbox"/>	<p>No other state has jurisdiction.</p>
<input type="checkbox"/>	<p>This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.</p>

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated 9-11-2017 at Tumwater, Washington

  
 \_\_\_\_\_  
 Petitioner