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FEB 26 2021 *BP 6*

Superior Court of WA
Sharon Fogo

21-2-00073-23
ORPRT 6
Order for Protection
9846114



Superior Court of Washington For Mason County	
TRISTINA MAE HARDING Petitioner	05/21/99 DOB
vs.	
BRANDON JON HARDING Respondent	DOB

Order for Protection

No. 21-2-00073-23

Court Address :
419 N 4th St.
Shelton, WA 98584
 Telephone Number: (360 427-5670)
 (Clerk's Action Required) (ORPRT)

Names of Minors: No Minors Involved

(List first, middle, and last name/s and age/s)

JOELENE JAYE HARDING 3

Respondent Identifiers

Sex	Race	Hair
<u>M</u>	<u>W</u>	<u>BLONDE</u>
Height	Weight	Eyes
<u>5'11"</u>	<u>175</u>	<u>BLU</u>

Respondent's Distinguishing Features:

Access to weapons: yes no unknown

The Court Finds Based Upon the Court Record:

The court has jurisdiction over the parties, the minors, and the subject matter. Respondent had reasonable notice and an opportunity to be heard. Notice of this hearing was served on the respondent by personal service service by mail pursuant to court order service by publication pursuant to court order other _____.

Respondent received actual notice of the hearing. Respondent appeared did not appear.

This order is issued in accordance with the Full Faith and Credit provisions of VAWA: 18 U.S.C. § 2265.

Respondent and the victim are:

Intimate Partners because they are: current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have *never* resided together.

Family or household members because they are: current or former adult cohabitants as roommates, adult in-laws, adults related by blood, parent and child, stepparent and stepchild, grandparent and grandchild

Respondent committed domestic violence as defined in RCW 26.50.010.

Credible Threat: Respondent represents a credible threat to the physical safety of the protected person/s.

Additional findings may be found below. The court concludes that the relief below shall be granted.

Court Order Summary (additional provisions are listed on the following pages):

6

[X] Respondent is restrained from committing acts of abuse as listed in provisions 1 and 2, on page 2.
[X] No-contact provisions apply. [X] Prohibition and surrender of weapons apply.
This order is effective immediately and for one year from today's date, unless stated otherwise here (date):

THIS ORDER IS IN EFFECT UNTIL FURTHER ORDERS FROM THE COURT.

It is Ordered:

<p>[X] 1. Respondent is restrained from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking [] petitioner [X] the minors named in the table above [] these minors only:</p> <p>(Respondent: If you and the petitioner are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older, and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have <i>never</i> resided together, you will not be able to own or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order.)</p>
<p>[X] 2. Respondent is restrained 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 [X] petitioner [X] the minors named in the table above [] only the minors listed below [] members of the victim's household listed below [] the victim's adult children listed below:</p>
<p>[X] 3. Respondent is restrained 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 or service of process of court documents by a 3rd party or contact by Respondent's lawyer(s) with [X] petitioner [X] the minors named in the table above [] these minors only:</p> <p>If both parties are in the same location, respondent shall leave.</p>
<p>[X] 4. Respondent is restrained from going onto the grounds of or entering petitioner's [X] residence [X] workplace [X] school [X] the daycare or school of [X] the minors named in the table above [] these minors only: [] other: [X] Petitioner's address is confidential. [] Petitioner waives confidentiality of the address which is: TBD, Petitioner will inform the court once Petitioner has a new permanent location.</p>
<p>[] 5. Petitioner shall have exclusive right to the residence that petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and tools of trade from the residence while a law enforcement officer is present. [] This address is confidential. [] Petitioner waives confidentiality of this address which is:</p>

<p><input checked="" type="checkbox"/> 6. Respondent is prohibited from knowingly coming within, or knowingly remaining within 500 FEET(distance) of: petitioner's <input checked="" type="checkbox"/> residence <input checked="" type="checkbox"/> workplace <input checked="" type="checkbox"/> school; <input checked="" type="checkbox"/> the daycare or school of <input checked="" type="checkbox"/> the minors named in the table on page one <input type="checkbox"/> these minors only: <input type="checkbox"/> Other:</p>
<p><input checked="" type="checkbox"/> 7. Petitioner shall have possession of essential personal belongings, including the following: PERSONAL COMPUTER</p>
<p><input checked="" type="checkbox"/> 8. Petitioner is granted use of the following vehicle: <u>Year, Make, & Model: 1988 Chevy Astro (VIN: 1GNDM15Z8JB164029) License No. Unknown (possibly: BLY 6503)</u> <u>Year, Make, & Model: 2008 BMW 528 Sedan (VIN: WBANV13558BZ47603) License No. Unknown (possibly: BLY6503)</u></p>
<p><input checked="" type="checkbox"/> 9. Other: Petitioner is granted use (sole possession and control) of the following marital assets: The bank accounts under the name of Brandon J Harding and/or Drain Masters (Sole Proprietorship) at WELLS FARGO BANK in Silverdale and/or Port Orchard, Washington.</p>
<p>Protection for minors: This state <input checked="" type="checkbox"/> has exclusive continuing jurisdiction; <input checked="" type="checkbox"/> is the home state; <input type="checkbox"/> has temporary emergency jurisdiction <input type="checkbox"/> that may become final jurisdiction under RCW 26.27.231(2); <input type="checkbox"/> other: _____</p>
<p><input checked="" type="checkbox"/> 10. Petitioner is granted the temporary care, custody, and control of <input checked="" type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: <input type="checkbox"/> The respondent will be allowed visitation as follows: <u>NONE, EXCEPT PURSUANT TO SUBSEQUENT PARENTING PLANS ORDERED BY THIS COURT</u> Petitioner may request modification of visitation if respondent fails to comply with treatment or counseling as ordered by the court.</p>
<p>To comply with the Child Relocation Act, anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the child <u>must notify</u> every other person who has court-ordered time with the child. Specific exemptions from notification may be available if the court finds unreasonable risk to health or safety. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09, RCW 26.10 or RCW 26.26 for more information.</p>
<p><input checked="" type="checkbox"/> 11. Respondent is restrained from interfering with petitioner's physical or legal custody of <input checked="" type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p>
<p><input checked="" type="checkbox"/> 12. Respondent is restrained from removing from the state <input checked="" type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p>

Additional requests:

13. Respondent shall participate in treatment and counseling as follows:
 ~~domestic violence perpetrator treatment program approved under RCW-26.50.150 or counseling at _____~~
CU ~~parenting classes at _____~~
 ~~drug/alcohol treatment at _____~~
 other: ALL RECOMMENDATION PURSUANT TO SUBSEQUENT PARENTING PLANS ORDERED BY THIS COURT

~~14. Petitioner is granted judgment against respondent as provided in the Judgment, *CU* WRE DV 3.030.~~

15. Parties shall return to court on _____, at _____ .m. for review.

Protection for pets:

16. Petitioner shall have exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by petitioner, respondent, or a minor child residing with either the petitioner or the respondent. (Specify name of pet and type of animal):
2 CATS (*Trouble + Sonic*)

17. Respondent is **prohibited** from interfering with the protected person's efforts to remove the pet(s) named above.

18. Respondent is **prohibited** from knowingly coming within, or knowingly remaining within 500 FEET (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: _____

Prohibit Weapons and Order Surrender

The Respondent must:

- not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses; and
- comply with the **Order to Surrender and Prohibit Weapons** filed separately.

(Note: Also use form All Cases 02.050.)

Findings – The court (check all that apply):

must issue the orders referred to above because:

the first restraint provision is ordered above, and the court found on page one that the Respondent had *actual notice*, represented a *credible threat*, and was an *intimate partner*.

Respondent: If the court checked this box then, effective immediately and continuing as long as this protection order is in effect, **you may not possess a firearm** under state law. Violation is a felony. RCW 9.41.040(2).

the court finds by clear and convincing evidence that the restrained person:

has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or

is ineligible to possess a firearm under RCW 9.41.040.

may issue the orders referred to above because the court finds by a preponderance of evidence, the Respondent:

presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon; or

has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or

is ineligible to possess a firearm under RCW 9.41.040.

Warnings to the Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. §§ 2261, 2261A, or 2262.

A violation of provisions 1 through 6, 17, or 18 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If your relationship to the victim is as intimate partner, then effective immediately, and continuing as long as this protection order is in effect, you may not possess a firearm or ammunition under federal law. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine.

If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to Mason County Sheriff's Office City Police Department **where petitioner lives** which shall enter it into WACIC.

Service

The clerk of the court shall also electronically forward a copy of this order, and any order to surrender and prohibit weapons, on or before the next judicial day to Mason County Sheriff's Office City Police Department **where respondent lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.

Respondent appeared and was informed of the order by the court; further service is not required.

Petitioner shall serve this order by mail publication.

(Only if surrender of weapons not ordered) Petitioner shall make private arrangements for

service of this order.

Law Enforcement Assistance

- Law enforcement shall assist petitioner in obtaining:
 - Possession of petitioner's residence personal belongings located at: the shared residence respondent's residence other: _____
 - Custody of the above-named minors, including taking physical custody for delivery to petitioner.
 - Possession of the vehicle designated in paragraph 7, above.
 - Other: _____
- Other: _____

This order is in effect until the expiration date on page one.

If the duration of this order exceeds one year, the court finds that an order of one year or less will be insufficient to prevent further acts of domestic violence.

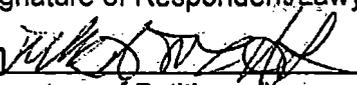
Other: _____

Dated: 2-26-2021 at 9:10 a.m./p.m.



 Judge/Commissioner
 MONTY D. COBB

I acknowledge receipt of a copy of this Order:

<input type="checkbox"/>	<u>Did Not Appear for hearing.</u>	
	Signature of Respondent/Lawyer	WSBA No. Print Name
<input type="checkbox"/>		<u>51588</u> <u>Mark A. Morenz-Harbinger</u>
	Signature of Petitioner/Lawyer	WSBA No. Print Name

Petitioner: The law allows you to register for certain notifications regarding this protection order and its status. Visit www.RegisterVPO.com or call 1-877-242-4055 for more information or to sign up. If you feel that you are in danger, call 9-1-1 immediately.