

PRELIMINARY PROTECTIVE ORDER – FAMILY ABUSE

Commonwealth of Virginia VA. CODE § 16.1-253.1

Case No. JA100363-01-00

Hearing Date and Time: 12/02/2021 09:00 AM

CHESAPEAKE J & DR - ADULT

☐ Circuit Court (on appeal only)☒ Juvenile and Domestic Relations District Court☐ Extension of Preliminary Protective Order**PETITIONER**

REICHERT, JEFFREY WALTER

LAST

FIRST

MIDDLE

PETITIONER'S DATE OF BIRTH

11/07/2009

And on behalf of minor family or household members:
(list each name and date of birth)

REICHERT, JEFFREY WALTER 04/02/1973

Other protected family or household members:
(list each name and date of birth)

V.

RESPONDENT

MICHEL, JOHN; JR

LAST

FIRST

MIDDLE

Petitioner's relationship to Respondent:

CHILD

3735 CLARKS POINT ROAD

RESPONDENT'S ADDRESS

MIDDLE RIVER, MD, 21200

☐ CAUTION: Weapon Involved**RESPONDENT IDENTIFIERS (IF KNOWN)**

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	M				5	11	205	O	GY

SSN

DRIVER'S LICENSE NO.

STATE

EXP.

Distinguishing features:

THE COURT FINDS that it has jurisdiction over the parties and subject matter, and that

1. The Petitioner is a family or household member of the Respondent;
2. The Petitioner is, or has been, within a reasonable period of time, subjected to family abuse; and
3. In order to protect the health and safety of the Petitioner or any family or household member of the Petitioner, a preliminary protective order is warranted.

☒ *Ex Parte* Proceeding Only: The petition has been supported by an affidavit or sworn testimony before the judge or intake officer, and either the Petitioner is in immediate and present danger of family abuse or there is sufficient evidence to establish probable cause that family abuse has recently occurred so as to justify an *ex parte* proceeding.

☐ As this order was entered without a separate affidavit or an attested petition, or without a form pursuant to Va. Code § 16.1-253.4(D) being presented, the basis upon which this order is entered, including a summary of the allegations made and the court's findings, is as follows:

THE COURT ORDERS that:☒ The Respondent shall not commit acts of family abuse or criminal offenses that result in injury to person or property.☒ The Respondent shall have no contact of any kind with the Petitioner☐ except as follows:☒ The Respondent shall have no contact of any kind with the family or household members of the Petitioner named above☐ except as follows:☐ Additional terms of this order are set forth on page two.

It is further ORDERED as follows:

- ☐ The Petitioner is granted possession of the residence occupied by the parties to the exclusion of the Respondent.
The residence is located at
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 not terminate ☐ Respondent shall restore necessary utility service(s) to the premises indicated above, specifically,
UTILITY SERVICE(S)
- ☐ The Petitioner is granted temporary exclusive possession or use of a motor vehicle jointly owned by the parties or owned by the Petitioner alone, described as follows:
..... Such grant shall not affect title to the vehicle.
- ☐ The Respondent shall provide suitable alternative housing for the Petitioner ☐ and family or household members as follows:
.....
- ☐ The Respondent shall pay deposit(s) to connect or restore necessary utility service(s) in the alternative housing, specifically,
.....
UTILITY SERVICE(S)
- ☐ The Petitioner is granted possession of the companion animal described as
NAME/TYPE
- ☐ The Petitioner ☐ and family or household members of the Petitioner is/are granted exclusive use and possession of a cellular telephone number or electronic device, as follows:
☐ The Respondent shall not terminate a cellular telephone number or electronic device before expiration of the contract term with a third-party provider, as follows:
☐ The Respondent shall not use a cellular telephone or other electronic device to locate the Petitioner.
- ☐ It is further ordered that
.....
- ☐ Supplemental Sheet to Protective Order, Form DC-653, attached and incorporated by reference.
Number of supplemental pages

It is further ORDERED that a full hearing on the petition for a protective order be held at this Court on 12/16/2021 at 09:00 AM * and that service of this Order will constitute notice to the parties for that hearing.

*** If the court is closed on the above date because the conditions constitute a threat to the health or safety of the general public or for another reason set forth in Va. Code § 16.1-69.35 or § 17.1-207, the full hearing will be held on the next day that the court is open, and this Preliminary Protective Order will remain in full force and effect until this order is dissolved by the court, another preliminary protective order is entered or a protective order is entered.**

- ☐ It is ORDERED that the Preliminary Protective Order is extended
☐ as the Respondent failed to appear at the protective order hearing set for because the Respondent was not personally served or, if personally served, was incarcerated and not transported to the hearing.
☐ upon motion of the Respondent and for good cause shown.

12/02/2021

DATE

JUDGE

"I certify that this document to which this authentication is affixed is a true copy of a record in the Chesapeake Juvenile and Domestic Relations District Court, and that I am the custodian of that record."
12/02/21
Date
Clerk
Deputy Clerk

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

RESPONDENT:	
NAME <u>MICHEL, JOHN; JR</u>	
ADDRESS <u>3735 CLARKS POINT ROAD</u> <u>MIDDLE RIVER, MD, 21200</u>	
<input type="checkbox"/> PERSONAL SERVICE	TELEPHONE NUMBER
<input type="checkbox"/> NOT FOUND	
SERVING OFFICER	
for	
DATE AND TIME	
RESPONDENT'S DESCRIPTION (for VCIN entry):	
RACE	SEX
DOB:	
HGT	WGT
EYES	HAIR
SSN	
Relationship to Petitioner/Plaintiff	
Distinguishing features	

PETITIONER: (See form DC-621, NON-DISCLOSURE ADDENDUM)	
NAME <u>REICHERT, JEFFREU WATER</u>	
<input checked="" type="checkbox"/> PERSONAL SERVICE	
<input type="checkbox"/> NOT FOUND	
<u>SR Deputy T. Vaughan</u> SERVING OFFICER for <u>Jim O'Sullivan</u> <u>12/2/21</u> <u>1019</u> DATE AND TIME	
<input type="checkbox"/> Copy delivered to	
by	TITLE
SIGNATURE	

WARNINGS TO RESPONDENT:

Pursuant to Code of Virginia § 18.2-308.1:4, Respondent shall not purchase or transport any firearm while this order is in effect. If Respondent has a concealed handgun permit, Respondent must immediately surrender that permit to the court issuing this order. If Respondent violates the conditions of this order, Respondent may be sentenced to jail and/or ordered to pay a fine. This order will be entered into the Virginia Criminal Information Network. Either party may at any time file a motion with the court requesting a hearing to dissolve or modify this order; however, this order remains in full force and effect unless and until dissolved or modified by the court. **Only the court can change this order.**

DEFINITIONS:

"Family abuse" means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et. seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

"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, sisters, half-brothers, half-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.