

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT Kotzebue

FILED IN THE TRIAL COURTS
STATE OF ALASKA, SECOND
JUDICIAL DISTRICT AT KOTZEBUE

Annette J. Richards)
Petitioner)

vs.)

Clement B. Richards, Jr.)
Respondent)

OCT 0 1988

Clerk of the Trial Courts

By js Deputy

CASE NO. 2KB-88-128 DV

EMERGENCY DOMESTIC VIOLENCE
ORDER

A Petition For Emergency Injunctive Relief was filed in this court pursuant to the Domestic Violence Act, AS 25.35.020,

on October 3, 1988. This court makes the following Findings and Order:

FINDINGS

1. The petitioner is:

- the respondent's (spouse) (~~former spouse~~).
- the respondent's (parent)(grandparent)(child)(grandchild).
- a person not a spouse or former spouse of the respondent but who previously lived with the respondent in a spousal relationship.
- a member of the social unit made up of those living together in the same household.
- none of the above.

2. The petitioner (has) (~~has not~~) been the victim of domestic violence as alleged in the petition and as defined in AS 25.35.060.

3. An emergency (does) (~~does not~~) exist.

4. a. Respondent was notified of the filing of the petition.

Yes No

b. A hearing was held at which the following parties appeared:

Petitioner Respondent

c. Notice has been given to respondent prior to the issuance of this order. Yes No

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d. Notice was not given to respondent prior to the issuance of this order, for the reasons stated below:

Petitioner fears reprisal by
Respondent for applying for emergency order

e. There (is) (~~is not~~) a substantial likelihood of immediate danger from the respondent to the health, safety or welfare of the petitioner or of a minor child in the care of the petitioner. This finding is based on:

allegations in the petition

testimony of petitioner

5. Other Findings: _____

EMERGENCY INJUNCTIVE RELIEF ORDER

IT IS HEREBY ORDERED THAT:

1. Petitioner's petition for emergency injunctive relief is DENIED because

a. petitioner has not shown sufficient proof that petitioner is a victim of domestic violence as defined in AS 25.35.060. This case is dismissed.

b. petitioner has not shown sufficient proof that an emergency exists. This case is, therefore, set for a hearing at the time and place stated in paragraph 5 below to determine whether a non-emergency domestic violence order should be issued.

2. The petition for emergency relief is GRANTED, and it is ordered that:

a. Respondent Petitioner not physically abuse, abuse, threaten or commit any other acts of domestic violence against the other party.

b. Respondent Petitioner move out of the home of the petitioner/respondent.

c. Respondent Petitioner not contact, communicate with, or attempt to contact the other party by any means, written or spoken, except: _____

d. Respondent Petitioner not follow or enter any vehicle (auto, truck, etc.) in the possession of or occupied by the other party.

- e. Respondent Petitioner participate in (personal counseling) (family counseling) (mediation) at the expense of Manitac Mental Health
 respondent to contact them within 24 hrs.
- f. Respondent Petitioner pay \$ _____ per month for the support of the other party while this order is in effect, beginning on _____.
- g. Respondent Petitioner pay \$ 200 per month for the support of each child (a total of \$ 200 per month) while this order is in effect, beginning on _____, to be paid as follows:
 first payday by payment to the Women's Shelter for the benefit of the child Amos
 INCOME WITHHOLDING ORDER. If child support payments become delinquent, the obligor's income and any money due to him shall be withheld pursuant to AS 47.23.062.
- h. Respondent Petitioner pay _____ % of the medical bills incurred by the other party as a result of the domestic violence.

3. It is further ordered that petitioner/respondent shall have temporary custody of the following children (name and date of birth):

Clement B. Richards, Jr.

4. Other. a. Petitioner ~~Respondent~~ may need to pick up personal belongings at respondent's house when accompanied by a police officer.

b. Respondent to bring child Amos, daily to atrium of Ferguson Bldg. for visitation with petitioner between the hours of 5:30 p.m. to 9:00 p.m.

5. A hearing on the petitioner's request for a 90 day injunctive relief order will be held at:

Court Address: Kotzebue Trial Courts

Date and Time: October 21, 1988 at 11:00 a.m.

0-01282169

WARNING TO PARTIES

If you violate certain sections of the above order, an officer may immediately arrest you without a warrant. Violation of section 2(a) through (d) or section 3 of this order is a crime under AS 11.41 (crimes against the person), AS 11.46.330 (trespass), or AS 11.61.120 (harassment).

If you are convicted under AS 11.41.230 of assault in violation of this order, you will be sentenced to at least 20 days in jail.

NOTICE TO RESPONDENT

As the respondent in this case, you may immediately ask the court to change or end this order. To do this, get form DV-135 (Request to Modify/Dissolve Domestic Violence Order) from the clerk of court. Fill it out and file it with the clerk.

WRIT OF ASSISTANCE

To: Any Peace Officer, State of Alaska

You are commanded to use every lawful means to enforce the above order. You shall assist:

Respondent Petitioner to obtain possession of the residence at _____ and eject and remove _____ from the residence.

Respondent Petitioner to recover possession of the following personal property: personal items at respondent's house

Respondent Petitioner to obtain physical custody of the minor children named in paragraph 3 of the above order from any and all persons, and to enter, if necessary, the following location(s) to remove the minor children: _____

You shall also: _____

EFFECTIVE DATE

This order and writ shall be in effect for 20 days unless extended for good cause.

October 3, 1988 at
Effective Date and Time

3:14 PM

Paul B. Jones
Judge ~~Magistrate~~

Paul B. Jones

Type or Print Name

I certify that on 10-03-88
a copy of this order was given to:

- petitioner respondent
 - AST local police
 - Women's Crisis Center
 Manilag Mental Health.
- Clerk: pk

002271

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT Kotzebue FILED in the Trial Courts
State of Alaska, Second District

Annette J. Richards
Petitioner

OCT 03 1988

vs.

Clement Richards Sr.
Respondent

By [Signature] Clerk, Trial Courts
Deputy

CASE NO. 2KB-88-128 DV

PETITION FOR INJUNCTIVE RELIEF
DOMESTIC VIOLENCE

Annette J. Richards, the petitioner, states the following in support of his/her claim for relief:

1. I have been a victim of acts of violence committed by Clement Richards Sr. (the respondent).
2. My address is: (If you believe you may endanger yourself by giving your address, write on the "Message" line an address where you can be sure you will receive court papers.)
 - a. Mailing: % Women's Shelter P.O. Box 38 Kotzebue, Ak 99752
 - b. Message: (907) 442-3969
3. The respondent's address is:
 - a. Mailing: P.O. Box 873 Kotzebue, Ak 99752
 - b. Residence: 506 A
4. a. I am the respondent's: wife
(state relationship to respondent)
- b. The respondent and I: (check all boxes that apply)
 - live together.
 - live separately.
 - once lived together in a relationship like a marriage.
 - are still married but filed for divorce or dissolution.Date Filed: _____ Where Filed: _____ Case # _____
- other (please explain): _____

002272

5. The respondent committed or has threatened to commit the following acts of violence upon me: [Include date of incident and place where it occurred and any injuries suffered. List only the most recent incident(s).]
About 9-18 he slap me on the face and I been at the Women's Shelter ever since. My 1st day of work today. Went straight to Women's Shelter for lunch. He called me up at 12:50 to pick up the kids or he bring them to me at work. I found babysitter w/ the help of the Shelter workers. Joan Krambles brought me to work. He was just coming out of the menialog building w/ kids then he came verbally abusive and wanted Joan said that she would call the police followed her up the steps then he ran after me and throw me down the steps and kick me in the stomach also pulled my hair. He was
6. As a result of injuries, I have bills for medication, doctors, nurses and/or hospital services that have not been paid. Yes No

Type of medical service:

Amount

_____	_____
_____	_____
_____	_____

7. I believe I need emergency help from the court. Yes No

a. If yes, please state the reason(s):

*Scared of him
verbally threatening me*

b. Has the respondent been told that you are filing this petition?

Yes. Describe how. _____

No. Explain why not. *fear of reprisal.*

8. There are children involved in this matter. Yes No (If no, go to #9).

a. I am the children's father mother _____

b. The children's names and dates of birth are:

Names	Date of Birth	How long in Alaska	Residence Address*
<i>Amos Richards</i>	<i>10-20-83</i>	<i>4</i>	_____
<i>Clayton Richards Jr</i>	<i>3-31-86</i>	<i>2</i>	_____
_____	_____	_____	_____
_____	_____	_____	_____

(*If giving the children's address might endanger the children, state that on the lines above.)

c. There is a custody order over the children.

Yes. The order was issued in the state of _____, case # _____.

No Do Not Know

d. I have legal custody (by court order) of the following children:

n/A

e. n/A has legal custody (by court order) of the following children:

f. Who has control of the children now? Clement Richards Sr. their Dad has them right now

9. I need financial assistance from the respondent to help support myself and/or the children. Yes No (If no, go on to #10.)

a. I am employed. Yes No

Place of employment: (If you believe answering this question might endanger you, please state that instead.)

Manila Accounting Dept.

b. My monthly income is:

Sources	Amount
<u>just started</u>	_____
_____	_____
Total	_____

c. My monthly expenses are:

Food	_____
Housing	_____
Other	_____
Total	_____

d. Respondent's monthly income:

Sources	Amount
_____	_____
_____	_____
Total	_____

e. Respondent's monthly expenses:

Food	_____
Housing	_____
Other	_____
Total	_____

10. I am requesting the court to order the respondent to vacate a joint residence. Yes No (If yes, answer questions a, b and c.)

a. In whose name is the title or lease? Janet, Nancy & George Taylor

b. Is the residence used by either party for business purposes?

Yes No If yes, describe. _____

c. What housing alternatives are available to either party?
currently living at Women's Shelter

11. I request an order from the court directing:

- a. respondent not to physically abuse or threaten me.
- b. respondent to move out of our house.
- c. respondent not to communicate or attempt to communicate with me.
- d. respondent not to enter a vehicle (car, truck, etc.) in my possession or occupied by me.
- e. respondent to go to personal or family counseling or mediation.
- f. respondent to pay support for each child in the amount of \$ 100⁰⁰ per child per week when he starts working (week/month)
- g. respondent to help support me by paying me the amount of \$ _____ per (week/month)
- h. that I be given temporary legal custody of the children.
I do do not need help getting physical custody of the children.
- i. respondent to pay for medical expenses incurred as described in #6.
- j. Other: _____

12. I have been a party to a petition like this one with the court before.

Yes No

a. If yes, where was it filed? _____ When? _____

b. Is the other party in this petition the same as the other party in the earlier petition(s)? Yes No

10-3-88
Date

Annette J. Richards
Petitioner's Signature

Annette J. Richards
Print Name

Subscribed and sworn to or affirmed before me at Kotzebue, Alaska on October 3, 1988.

(SEAL)

I certify that on 10-3-88
Copies of this document were
sent to the following:

Annette Richards
Clément Richards

GLM/K LPK

Patricia K. Smith
Clerk of Court, Notary Public or other
person authorized to administer oaths.

My commission expires: with position