

So that the Order of Protection is valid
YOU MUST REPLACE THIS PAGE with
Cover Sheet: Order of Protection

STATE OF INDIANA) IN THE _____
COURT _____
COUNTY OF _____) SS: (_____ DIVISION, ROOM _____)

STATE OF INDIANA)
)
 vs.) Case Number _____
)
 _____,)
 Defendant)
 (DOB) ___/___/___)
 (Race) ___ (Sex) ___)
 (DL) _____)
 (SSN) XXX-XX-_____)

NO CONTACT ORDER UPON AGREEMENT TO WITHHOLD PROSECUTION/PRETRIAL DIVERSION

The Defendant __ does __ does not appear in person (and by counsel) and the State __ does __ does not appear by its Deputy Prosecuting Attorney. The parties have filed an Agreement to Withhold Prosecution with the Court pursuant to Indiana Code § 33-39-1-8. Under the terms of that pretrial diversion Agreement, the parties have agreed that the Defendant shall have no contact with the alleged victim(s) and/or (a) certain witness(es) in this case. The Court now finds that such an Order is necessary to preserve the safety, peace, and dignity of the community as well as the safety of the alleged victim(s)/witness(es) named herein. The Defendant has been charged with the commission of the crime(s) of _____, a Level/Class _____ felony/misdemeanor. As a condition of the Defendant's pretrial diversion, in addition to all other conditions elsewhere specified:

IDACS Codes:

1. THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH:

_____ 05
in person, by telephone or letter, through an intermediary, or in any other way, directly or indirectly, except through an attorney of record, while the Defendant is a party to the Agreement to Withhold Prosecution. This includes, but is not limited to, acts of harassment, stalking, intimidation, threats, and physical force of any kind. 01

2. THE DEFENDANT IS ORDERED TO HAVE NO FIREARMS, DEADLY WEAPONS, OR AMMUNITION IN HIS/HER POSSESSION. 07

3. THE DEFENDANT SHALL NOT VISIT THE FOLLOWING LOCATIONS DURING THE PERIOD OF HIS/HER PRETRIAL DIVERSION: 04

(a) wherever the Defendant knows him/her/them to be located;

(b) _____.

4. THIS ORDER ___ DOES / ___ DOES NOT INVOLVE INTIMATE PARTNERS AS DEFINED IN 18 USC Sections 921 (a)(32) and 2266.

5. Other conditions: _____ 08

This Order remains in effect for the duration of the Agreement to Withhold Prosecution.

Violation of this order constitutes a violation of Indiana Code § 33-39-1-8, which could result in revocation of the pretrial diversion agreement. Violation of this order also constitutes a violation of Indiana Code § 35-46-1-15.1, and may also subject the defendant to federal prosecution. This order is valid in all 50 states, the District of Columbia, tribal lands, and United States territories.

Violation of this order is punishable by confinement in jail, prison, and/or a fine.

If so ordered by the court, the respondent is forbidden to enter or stay at the petitioner's residence or residence of any child who is the subject of the order, even if invited to do so by the petitioner or any other person. In no event is the order for protection voided.

Pursuant to 18 U.S.C. 2265, this order for protection shall be given full faith and credit in any other state or tribal land and shall be enforced as if it were an order issued in that state or tribal land.

Pursuant to 18 U.S.C. 922(g), once a respondent has received notice of this order and an opportunity to be heard, it is a federal violation to purchase, receive, or possess a firearm while subject to this order if the protected person is:

(a) the respondent's current or former spouse;

(b) a current or former person with whom the respondent resided while in an intimate relationship; or

(c) a person with whom the respondent has a child.

Interstate violation of this order may subject the respondent to federal criminal penalties under 18 U.S.C. 2261 and 18 U.S.C. 2262.

DATE: _____

Judge

STATEMENT OF DEFENDANT

I have read the above Order and I understand it. A copy of this Order has been given to me this _____ day of _____, _____.

Signature of Defendant