**IN THE \_\_\_\_\_\_ JUDICIAL DISTRICT COURT/COUNTY COURT AT LAW FIVE**

**EL PASO COUNTY, TEXAS**

FOR THE PROTECTION OF: §

**APPLICANT**, §

 APPLICANT §

 §

v. § **NO. \_\_\_\_\_\_\_\_\_\_\_\_\_**

 §

**RESPONDENT**, §

 RESPONDENT. §

 **TEMPORARY PROTECTIVE ORDER**

 On this day the Application of Applicant for a Protective Order was presented to the Court pursuant to Title 4, Tex. Fam. Code Ann. (Vernon 1997) / Chapter 7A of the Code of Criminal Procedure.

 **FINDINGS**

 The Court, having examined the pleadings of Applicant, finds that:

 1. There is a clear and present danger that acts of family violence will be committed by Respondent before a full hearing can be held upon Applicant's request for a Protective Order.

 2. Applicant and/or the other members of the family or household who are affected by this suit will suffer immediate and irreparable injury, loss, or damage for which there is no adequate remedy at law unless Respondent is immediately prohibited from the acts set forth below.

 **TEMPORARY ORDERS**

 Pursuant to Tex. Fam. Code Ann. § 83.001 (Vernon 1997), / Chapter 7A of the Code of Criminal Procedure **IT IS THEREFORE ORDERED** that the clerk of this Court issue TEMPORARY PROTECTIVE ORDERS prohibiting Respondent, and Respondent is hereby immediately prohibited from:

 (1) Committing acts of family violence;

1. Communicating:

 (a) directly with **APPLICANT** or a member of the family and/or household in a threatening or harassing manner;

 (b) a threat through any person to **APPLICANT** or a member of the family and/or household; or

 (3) Going within 200 yards of the residence or place of employment of **APPLICANT** or a member of the family or household of **APPLICANT**:

 **RESIDENCE:**

 **EMPLOYMENT:**

 **SCHOOL/DAYCARE:**

 (4) Engaging in conduct directed specifically toward a person who is a member of the family or household, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person.

(5) Possessing a firearm or ammunition unless he is a peace officer as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.

 **IT IS FURTHER ORDERED** that, **RESPONDENT** be prohibited from:

(1) Removing the child(ren) named below from Applicant's possession, or removing them from El Paso County, Texas until further order of the court.

 **CHILD(REN) DATE OF BIRTH**

 (2) Transferring, encumbering or otherwise disposing of property mutually owned or leased by the parties, except in the ordinary course of business.

 The TEMPORARY PROTECTIVE ORDERS shall be effective immediately and are binding on the Respondent and shall continue in full force and effect until hearing on the Application set forth below. Pursuant to Tex. Fam. Code Ann. § 83.005 (Vernon 1997) this order prevails over any other court order made pursuant to Title 5, Tex. Fam. Code Ann.

 The requirement of a bond is hereby waived pursuant to Tex. Fam. Code Ann. § 83.003 (Vernon 1997).

 **ORDER SETTING SHOW CAUSE HEARING AND HEARING ON APPLICATION**

 **IT IS FURTHER ORDERED** that the Clerk shall issue notice ordering Respondent to appear, and Respondent is hereby ordered to appear, before the Family Law Court, Room \_\_\_\_\_\_\_\_\_\_\_\_, in the El Paso County Courthouse, 500 East San Antonio Street, El Paso, Texas, for a final hearing on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_ o’clock, \_\_\_\_.M., to show cause why the Temporary Protective Order granted herein should not be made into a Final Protective Order.

 SIGNED on this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_\_\_\_\_ o'clock, \_\_\_M.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 JUDGE

**WARNINGS**

**"NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.**

**“A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS $500.00 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH.”**

**“IT IS UNLAWFUL FOR ANY PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.”**

***[Temporary Protective Order granted pursuant to Texas Family Code]***

**“A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS $4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS.”**