

THE SUPERIOR COURT FOR THE COUNTY OF MUSCOGEE

STATE OF GEORGIA

LINDA ELLIS
Petitioner,

v.
MATTHEW CHAN
Respondent.

:
:
Civil Action File
No. SU13dm 409
:
:
:

STALKING EX PARTE TEMPORARY PROTECTIVE ORDER

Upon proceedings before me, the Petitioner having demanded pursuant to O.C.G.A. § 16-5-94 that a Protective Order be issued; and alleged that Respondent has knowingly and willfully committed or attempted to commit acts in violation of O.C.G.A. § 16-5-90 *et seq.*, and such acts were not at the home of the Respondent, had no legitimate purpose and that Petitioner is in reasonable fear of her/his safety and/or the safety of her/his immediate family; and it appearing to the Court that probable cause exists to believe that similar events will occur in the future, IT IS HEREBY ORDERED AND ADJUDGED:

1. That Respondent is enjoined and restrained from any acts directly or indirectly [pco01,02] which harass and/or intimidate the Petitioner or her/his immediate family.

2. That Respondent is enjoined from approaching within 1000 yards of Petitioner. [pco01,04]

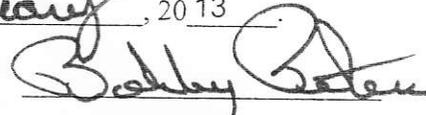
3. That Respondent have no contact of any type, direct or indirect, or through another person with Petitioner, or her/his immediate family, including but not limited to telephone, pager, fax, e-mail, mail or any other means of communication.

4. That the Respondent appear before Jordan, Judge, on the 28th day of February, 2013 at 10:00am in room 10th Floor of the MUSCOGEE County court house at 100 Tenth Street Columbus, GA to show why the demands of the Petitioner should not be granted.

5. That a copy of this Order be given to local law enforcement and the Respondent be served with a copy of this Order and Petition for Stalking Temporary Protective Order *instanter*.

6. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law Enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.
7. That these proceedings be filed in the office of the Clerk of this Court.
8. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and the Court ordered that the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as ordered as if an Order of the enforcing state or jurisdiction.

SO ORDERED this 13 day of February, 2013



JUDGE, SUPERIOR COURT
MUSCOGEE County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

Hearing needs to be held.

NOTICE TO RESPONDENT

1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.
2. This Order shall remain in effect unless specifically superceded by a subsequent signed and filed Order, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.
3. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts Petitioner on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.

serve respondent:



Col. [Signature]

Rd
Intrepid Mgmt
1639 Bradley PK DR.
Ste 500, Pmb 110
Columbus, GA

Domestic Relations Case Filing Information Form

Superior Court

County MUSCOGEE

Date Filed

MM-DD-YYYY

FILED IN OFFICE

Docket # SU13dm409

2013 FEB 13 PM 4:33

Plaintiff(s)

Ellis, Linda 11493009
Last First Middle I. Suffix Prefix Maiden

Defendant(s)

Chan, Matthew 11493017
Last First Middle I. Suffix Prefix Maiden

M. LINDA PIERCE
 MUSCOGEE COUNTY
 SUPERIOR COURT

Last First Middle I. Suffix Prefix Maiden

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney Pro Se

Pro Se 1715020
Last First Middle I. Suffix

Bar # _____

Check Case Type (one or more)

- Divorce (includes annulment)
 - Contested? Yes No
 - Child Custody Issue? Yes No
 - Child Support Issue? Yes No
 - Separate Maintenance
 - Adoption
 - Paternity (includes legitimation)
 - Interstate Support Enforcement Action
 - Domestication of Foreign Custody Decree
 - Family Violence Act Petition
- MODIFICATION**
- Modification - Custody, Visitation, or Parenting Time
 - Does the modification include a parent selection by a child who is at least 14 years old? Yes No
 - Modification - Child Support and Alimony
 - Modification - Child Support
 - Modification - Alimony
- CONTEMPT**
- Contempt - Custody, Visitation, or Parenting Time
 - Contempt - Child Support and Alimony
 - Contempt - Child Support
 - Contempt - Alimony
 - Other Domestic Contempt
 - Other Domestic Relations Specify _____

FAMILY VIOLENCE

Additional Information - Ex Parte Relief

Did the initial pleading include a request for relief?

- 1. From alleged family violence? Yes No
- 2. Was ex parte relief requested? Yes No
- 3. Was ex parte relief granted? Yes No

OTHER

Have the parties agreed to binding arbitration? Yes No

Have the parties reached a custodial agreement? Yes No

If yes, check one:

- Joint Custody
- Joint Legal Custody
- Joint Physical Custody
- Sole Custody to: _____

Financial Affidavit submitted? Yes No

Child Support Forms submitted? Yes No

THE SUPERIOR COURT FOR THE COUNTY OF MUSCOGEE
STATE OF GEORGIA

2013 FEB 13 PM 4:33

M. LINDA PIERCE
MUSCOGEE COUNTY
SUPERIOR COURT

Linda Ellis
Petitioner,

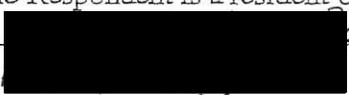
Civil Action File

v.
Matthew Chan
Respondent

No. 5413dm409

PETITION FOR STALKING TEMPORARY PROTECTIVE ORDER

The Petitioner, pursuant to O.C.G.A. § 16-5-94 hereby files this Petition for a Temporary Protective Order and in support shows the Court the following:

1. The Petitioner is a resident of Cobb County, Georgia and is over the age of 18 years of age or is an emancipated minor. Petitioner's date of birth is 6/4/62 sex F and race is W.
2. The Respondent is a resident of ~~Georgia~~ Columbus Georgia and may be served at  Muskogee County, Georgia.

OR

Columbus, GA

- 2a. Respondent is a resident of the State of GA. Under O.C.G.A. §§ 19-13-2(b) and 16-5-94(6) jurisdiction and venue are proper with this Court because the stalking occurred in the State of Georgia in _____ county and the Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this court and may be served at _____.

3. On or about 6/1/2012 through 2/9, 2013 the Respondent has knowingly and willfully committed the following acts of stalking under O.C.G.A. § 16-5-90 et seq.

Posted threats of death, posted home address and family and personal info with statements such as: "we are coming after you" and similar events may occur in the future. These acts had no legitimate purposes, happened at places other than the residence of the Respondent, were without the consent of the Petitioner, and placed Petitioner in reasonable fear for her/his own safety and/ or the safety of her/his immediate family.

Boasts about driving by subdivision and photos of my home and daughter's employment

THEREFORE, Petitioner requests:

- (a) That the Court set a hearing within (30) days of the signing of the Order and to direct Respondent to appear before this Court and to show any reasons why the demands of the Petitioner should not be granted;
- (b) That the Respondent be served a copy of this Petition and Temporary Protective Order as required by law;
- (c) That this Court issue an Ex Parte and Twelve Month Protective Order:

- order Respondent to stop harassing and intimidating Petitioner and her/his immediate family;
- order Respondent not have any direct or indirect contact with the petitioner and her/his immediate family;
- order Respondent be enjoined from approaching within _____ yards of Petitioner and Petitioner's residence;
- order Respondent refrain from the conduct toward the Petitioner as stated in this Petition;
- order law enforcement to enforce the order;
- order Respondent to receive appropriate psychiatric or psychological services;
- award the Petitioner costs and attorney fees for having to bring this action.

Respectfully submitted,

Linda Ellis
Petitioner

3349 Preakness Ct Marietta GA 30062
Petitioner's Address

404-966 3349
Phone

RESPONDENT'S IDENTIFYING FACT SHEET

(Please complete as much as possible; one of those must be provided to have the Order placed in the National Crime Information Center registry, Respondent's date of birth or social security number.)

Respondent's social security number is ~~XXXXXXXXXXXX~~ date of birth is 8/31/66
sex M, color of hair Brown, color of eyes _____, height _____, weight _____,
Respondent's race is Asian ethnic background _____.
Respondent has distinguishing marks (tattoos, scars, etc) _____ Respondent
drives a _____, license tag number _____ and has a _____
(state) driver's license number _____, Respondent's home address
[REDACTED] and is employed by _____ at _____ and
works from _____ to _____ (days) _____.

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STATE OF GEORGIA

LINDA ELLIS
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v.

MATTHEW CHAN
Respondent

No. _____

VERIFICATION

Personally appeared _____, who being duly sworn states that she/he is the Petitioner in the above styled case and that the facts set forth in the foregoing Petition for Stalking Temporary Protective Order as true and correct.

Linda Ellis
Petitioner

Sworn to and subscribed before me
this 13 day of February, 2013

Debra Clifton
Notary Public

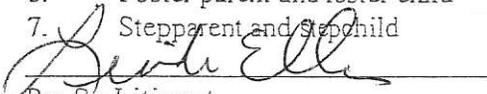
My commission expires: Oct 13, 2016

Debra Clifton
Notary Public
Muscogee County, Georgia
My Commission Expires October 13, 2016

PRO SE LITIGANTS

The following checklist, although not exclusive, represents the Court's general requirements for pro se litigants:

1. We encourage you to hire a lawyer because the legal system is complicated and can be confusing.
2. You can represent yourself, but you must follow the same rules of evidence and procedure as if you are a lawyer.
3. You can request that court fees be waived if you are too poor to pay them. This is up to the Judge. Instructions and forms can be found on line at www.chattahoocheefamilylawcenter.org
4. The Judge cannot discuss your case; therefore, only call the Judge's office to schedule a hearing.
5. The Judge and the Clerk of Court cannot give you legal advice. If you have questions, you should talk to a lawyer.
6. You have to make sure the Clerk's office has your current mailing address and daytime telephone number at all times or you may lose your case.
7. You have to make sure the defendant is served as required by law. For further information on service, see www.chattahoocheefamilylawcenter.org.
8. You must prepare and file all paperwork for your case, if you choose to represent yourself. The court staff, law librarians, and the clerk's office do not prepare this paperwork. It's up to you to make sure your paperwork is correctly done and filed. Chewing gum, food, and drink are not allowed in court.
9. Cell phones and other electronic devices are not permitted in the courtroom. If your cell phone rings in court you will be removed from the courtroom and may lose your case. Some judges may also put you in jail or fine you.
10. Dress appropriately for court. You will not be admitted if you are wearing shorts, hats or caps, flip-flops, halter-tops, tank tops, cropped shirts, or any other clothes inconsistent with serious legal proceedings.
11. You must keep up with all court dates and everything about your case. The Judge and Clerk do not send out reminders about court.
12. Be on time for court. If you are not there when your case is called you may lose your case and have to pay attorney's fees for the other side.
13. Causes of action under the Family Violence Act cases (known as TPOs) are battery, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass. Family violence does not include "bad-mouthing" or arguing. If you are filing a petition for a Temporary Protective Order under O.C.G.A. §19-13-1, both sides must be related in one of the following ways:
 1. Present or past spouses
 2. Parents of the same child/ren
 3. Parent and child/ren
 4. Persons who used to live in the same household
 5. Persons who currently live in the same household
 6. Foster parent and foster child
 7. Stepparent and stepchild


Pro Se Litigant

2/13/13
Date:

I acknowledge that I have received and read this document prior to filing my case.