STATE OF SOUTH DAKOTA	) IN	COURT				
COUNTY OF	)	_ JUDICIAL CIRCUIT				
-vs- Respondent.	TPO NO PETITION AND AFFIDAVIT FOR A PROTECTION ORDER (VULNERABLE ADULT)					
I,, being duly sworn upon oath, state and affirm the following: I am: ( <i>check one</i> ) the Petitioner filing on behalf of the Petitioner (as the "Substitute Petitioner"), and my relationship to the Petitioner is: ( <i>describe</i> )						
<ul> <li>The Petitioner is a vulnerable adult because the Petitioner is: (<i>check one</i>)</li> <li>a person sixty-five years of age or older who is unable to protect himself or herself</li> <li>a person eighteen years of age or older who cannot protect himself or herself, or provide for his or her own care, because of one of the following conditions:</li> <li>an intellectual disability;</li> <li>infirmities of aging as manifested by organic brain damage;</li> <li>advanced age; or</li> <li>other physical dysfunctioning.</li> </ul>						
The Petitioner is, or the Respondent is, a South D	Pakota resident.					
Petitioner resides in						
Respondent resides inCounty,(state).         The Respondent is: (check all that apply)         Petitioner's family member (describe Respondent's relation):         Petitioner's agent under a power of attorney         Petitioner's guardian         Petitioner's conservator         Petitioner's caretaker (a person who assumed responsibility for Petitioner's health and welfare)         a person who was entrusted with Petitioner's property         a person in whose integrity and truthfulness Petitioner placed trust and confidence         (for this last choice, please describe below Respondent's confidential relationship to Petitioner):						

## I AM ASKING THE COURT FOR A PROTECTION ORDER BASED UPON THE FACTS BELOW:

Starting or occurring on or about ( <i>month</i> )	(day)	<u>(vear)</u>	<u></u> at
approximatelyo'clock( <i>am/pm</i> ),		ed the following a	act(s) of
vulnerable adult abuse against the Petitioner: (check	any that apply)		
Respondent caused Petitioner physical harm or be			
Respondent attempted to cause Petitioner physica			
Respondent caused Petitioner fear of imminent pl			
Respondent was Petitioner's caretaker or was ent	1	1 .	
neglected Petitioner's health or welfare without n	e e		
Respondent was Petitioner's family member, Peti	· 1		
placed trust and confidence at the time Responder			•
Respondent was Petitioner's caretaker or was ent	1		
Respondent repeatedly and without Petitioner's c			nulated
sexual acts at Petitioner (detail the number of ins			
Respondent was Petitioner's caretaker or was ent	1	1 0	
Respondent repeatedly and unreasonably confine	d Petitioner (detail the nu	umber of instance	s, dates
and times below).			
Respondent was Petitioner's caretaker or was ent	1	1 0	
Respondent willfully, maliciously, and repeatedly	-	stroyed Petitioner	r's property
(detail the number of instances, dates and times b	<i>,</i>		
Respondent was Petitioner's caretaker or was ent	1	1	
Respondent willfully, maliciously, and repeatedly		•	ər
threatened Petitioner (detail the nature, dates, and	l times of these incidents	below).	
Provide a detailed description of what happened on the	he abovedate(s):		
i i i i i i i i i i i i i i i i i i i			

<ul> <li>☐ Yes ☐ No ☐ Don't Know</li> <li>☐ Yes ☐ No ☐ Don't Know</li> <li>☐ Yes ☐ No ☐ Don't Know</li> </ul>	Was law enforcement called during this incident Was Respondent arrested for this incident (or in- Is Respondent in jail?		
🗌 Yes 🗌 No 🗌 Don't Know	Has Respondent violated previous protection orders?		
	If so, against whom		
	Give the date of the violationstate of the violation	_and the county and	
☐ Yes ☐ No ☐ Don't Know	Has Respondent been found guilty of violating portion orders? If so, against whom	revious protection	
	Give the date of the conviction	and the county and	
<ul> <li>Yes □ No □ Don't Know</li> <li>Yes □ No □ Don't Know</li> <li>Yes □ No □ Don't Know</li> </ul>	Does Respondent possess guns or weapons? Was a weapon used in this incident (or these inci Has Respondent threatened anyone with a weapo	/	

Provide a detailed description of other similar incidents or actions that Respondent has committed and reasons you believe it will continue:



## **REQUEST FOR HEARING AND PROTECTION ORDER**

abuse,	I respe		sk the Co			•			ils of the vul learing the ev		
2) 3A	To gra )To ex )To rec To oro person A.	ant the P clude Re quire Res der that I ns and pl Petitior	rotection spondent pondent Responde aces: aces:	Order fo t from Pe provide l ent shall r nally	or a period etitioner's Petitioner not come	residence with suita within a di	listed in 4B ble alternati stance of	, OR ive ho	fro		
	∐В.	(city)					(state)		(zip)		
	ΠC.	Petitior	er's plac	e of emp	lovment (	(street)	, (state)	)	(Zip)		
		(city)		<b>r</b>			, (state)	)	(zip)		-
	□ D.	Other p	laces (str	reet/apt)			, ( )	,	( 1/		
		(city)	× ×	1 /-			<u>, (state)</u>		_(zip)		
		(city)					<u>, (state)</u>		_(zip)		
		(street/a	apt)								
		(city)_					<u>, (state)</u>		_(zip)		
□ 6) □ 7) □ 8)	<ul><li>party is removing essential personal effects.</li><li>7) That the Respondent be restrained from contact with Petitioner by any direct or indirect means except as authorized by a court order.</li></ul>						hile that				
9)	□ A. □ B. □ C.	To direct property To requiresource To requiresource agent. To proh	et Respon 7, resourc ire Respo es, belong ire Respo ibit Resp	ident to re ses, belom ondent ret gings, or ondent fo	efrain from agings, or turn custo assets. llow the in rom transf	assets. dy or cont nstructions ferring Peti	ng control o rol of Petitic s of Petitione	oner's er's gi	etitioner's fur funds, benef uardian, cons nefits, prope	řits, prop servator,	oerty, , or

(If you are requesting an immediate temporary protection order without notice to Respondent and without an opportunity for Respondent to appear, you must state why you believe Petitioner is in present danger of vulnerable adult abuse.)

## **REQUEST FOR IMMEDIATE PROTECTION ORDER WITHOUT NOTICE TO THE OTHER PARTY**

I am not requesting an immediate Temporary Protection Order.

Because Petitioner is in present danger of vulnerable adult abuse as defined in SDCL

22-46-1, in addition to what I have requested in sections 1-9 above, I request that the Court grant an immediate Temporary Protection Order:

A) To restrain the Respondent from committing acts of vulnerable adult abuse against Petitioner.

B) To exclude the Respondent from Petitioner's residence.

The reasons Petitioner needs this order immediately and cannot wait until the scheduled hearing are:

On this \_\_\_\_\_day of \_\_\_\_\_, I swear or affirm under oath that the information I have provided in this Petition and Affidavit are true and correct to the best of my knowledge. I believe Petitioner is entitled to the protection I have requested. I am asking for this protection for valid reasons and am not attempting to harass Respondent and am not attempting to abuse or delay the court process or any other legal action.

	Petitioner/Substitute Petitioner ( <i>circle one</i> ) (Sign only in front of Notary or Clerk)
Signed and sworn to before me on this	day of
	Notary Public/Deputy Clerk of Courts Commission Expires:
(SEAL)	1

Form UJS-120A (Vulnerable Adult) Petition Rev. 6/16