

SOUTH DAKOTA PROTECTION ORDER FROM ACTS OF DOMESTIC ABUSE, ACTS OF STALKING OR PHYSICAL INJURY, AND ACTS OF VULNERABLE ADULT ABUSE

READ THESE INSTRUCTIONS AND REVIEW THE FORMS BEFORE FILLING THEM OUT

APPLICATION INSTRUCTIONS FOR THE VICTIM OF DOMESTIC ABUSE, STALKING/PHYSICAL INJURY, OR VULNERABLE ADULT ABUSE

REQUIREMENTS OF THE LAW. You may seek a protection order from “domestic abuse,” from “stalking”/“physical injury,” or from “vulnerable adult abuse.” If you do not qualify for a domestic abuse protection order, you may still qualify for a protection order for stalking/physical injury or vulnerable adult abuse. In order for the judge to grant a protection order, you must meet certain criteria.

RESIDENCE REQUIREMENT. You should file in the county where you, the respondent, or another party you seek to protect with the protection order resides.

IF YOU ARE SEEKING A PROTECTION ORDER FOR DOMESTIC ABUSE

YOU MUST HAVE A PERSONAL RELATIONSHIP WITH THE RESPONDENT. You must have a personal relationship with the individual against whom you are seeking an order of protection (the alleged abuser). An alleged abuser can be a (1) spouse or former spouse; (2) person in a significant romantic relationship with you or has recently been in one during the past twelve months; (3) person with whom you have a child or are expecting a child with; (4) a parent or child, including a relationship by adoption, guardianship, or marriage; or (5) a sibling, including whole or half blood, adoption or marriage. If your relationship is not one of the above, you cannot seek a protection order for domestic abuse. You may, however, be able to receive a protection order for stalking as defined later in these instructions.

The person against whom you seek an order: (1) must have caused you physical injury or harm; (2) must have attempted to cause you physical injury or harm; or (3) you are afraid that the person is about to cause you physical injury or harm. You may also be eligible for a domestic abuse protection order if the person has: (1) violated a protection order or no contact order; (2) has participated in stalking/harassment; or (3) has committed a crime of violence against you. If the person has not done any of these things, or you do not have a personal relationship with them, you cannot seek a protection order for domestic abuse. You may, however, be able to receive a protection order for stalking or for vulnerable adult abuse as defined later in these instructions.

IF YOU ARE SEEKING A PROTECTION ORDER FOR STALKING OR FROM PHYSICAL INJURY

YOU MUST ALLEGE STALKING. The person's acts of harassment must **seriously alarm, annoy or harass you**. The person against whom you seek a stalking order must have: (1) **followed or harassed** you in a willful and malicious manner and have done so **more than once**; or (2) made believable **threats** against you with **the intent to make you fearful of great bodily injury**; or (3) **harassed** you in a willful and malicious manner by means of verbal, electronic, digital media, mechanical, telegraphic, or written communication and have done so **more than once**. The person must intend to carry out the threats and have the apparent ability to do so, or (4) **you, as the petitioner, have suffered physical injury** because of **an assault or a crime of violence**.

A crime of violence is murder, manslaughter, rape, aggravated assault, riot, robbery, burglary in the first or second degree, arson, kidnapping, felony sexual contact or any other felony in the commission of which the perpetrator used force, or was armed with a dangerous weapon, or used any explosive or destructive device. It also includes an attempt or conspiracy to commit the above-described crimes.

**IF YOU ARE SEEKING A PROTECTION ORDER
FOR VULNERABLE ADULT ABUSE**

THERE MUST BE AN ADULT WITH A DISABILITY OR AN ELDER (AGE 65 AND OLDER) WHO IS UNABLE TO PROTECT THEMSELVES FROM ABUSE. Such abuse can include (1) physical abuse or attempted physical abuse, (2) repeated emotional and psychological abuse by a caretaker (such as sexual exploitation, unreasonable confinement, threats of harm or harm to the property of the vulnerable adult, and harassment or ridiculing/demeaning conduct), or (3) financial exploitation by a caretaker, family member, or a person who is in a confidential relationship with the vulnerable adult (such as a guardian, conservator, or agent).

**IF YOU MEET THE LEGAL CRITERIA STATED ABOVE, YOU MAY
COMPLETE THE FORMS WITH THE FOLLOWING INSTRUCTIONS**

1. **FILL OUT THE PETITIONER AND RESPONDENT INFORMATION SHEETS AND THE PETITION AND AFFIDAVIT FOR A PROTECTION ORDER IN ENGLISH (please print names).** You are the PETITIONER; the person against whom you seek a protection order is the RESPONDENT.
2. **THE PETITION AND AFFIDAVIT MUST BE THE TRUTH. Do not sign your name at the end of the form.** You will need to sign it before a court clerk and swear to its truth or if you are unable to take it to the Clerk's Office yourself, you may sign it before a notary.
3. **REQUIREMENT FOR AN IMMEDIATE ORDER.** If you are requesting that the judge grant you an immediate temporary protection order without the Respondent having notice of your request or an opportunity to be heard, **YOU MUST BE ABLE TO CLAIM THAT IMMEDIATE AND GREAT INJURY, LOSS OR DAMAGE WOULD OCCUR IF YOU HAD TO WAIT UNTIL A HEARING.**
4. **JUDGE MUST SIGN THE ORDER.** The judge will review your petition and affidavit. If the judge grants you a temporary protection order and/or a hearing, the clerk will prepare copies of the orders and will deliver to the sheriff's office for service on the respondent. You will need to make arrangements with the Clerk to pick up your copy.
5. **YOU MUST ATTEND THE HEARING FOR THE PROTECTION ORDER.**
6. **THE HEARING IS THE TIME SET FOR YOU TO PROVE YOUR CASE.** You will need to bring with you to the hearing any witnesses that have first-hand knowledge of the incidents that have occurred, any documentation such as pictures, phone logs, email messages, text messages, etc.

**IF THE RESPONDENT VIOLATES ANY PROTECTION ORDER,
CALL THE POLICE IMMEDIATELY**

PETITIONER INFORMATION

TPO NO.: _____

Date: _____

Required Information

Last Name

First Name

Middle Name

Suffix

Date of Birth (MM/DD/YYYY)

☐ Male

☐ Female

Present Address/Contact Information	Race
_____ Address	☐ Asian/Pacific islander
_____ City, State, and Zip Code	☐ American Indian
_____ Phone	☐ Black
	☐ White
	☐ Other: _____
	☐ Unknown

Is there any other lawsuit, complains, petition or other action pending between you and the respondent? (check one) ☐ Yes ☐ No

If yes, what state and county is the action filed in? _____

Mailing Address	
☐ My mailing address is the same as my present address.	_____ Driver's License Number
_____ Address	_____ License State
_____ City/State/Zip Code	_____ SSN
	_____ Email

☐ Interpreter Needed — Language: _____

Eye Color:_____ Hair Color: _____ Weight:_____ Height:_____

Attorney Contact Information (if applicable)

Attorney Name

Attorney Mailing Address

Attorney Phone Number

PETITIONER NAME: _____ **TPO NO.:** _____

PLEASE READ THIS NOTICE AND INITIAL: PER SDCL § 25-10-7, THE LAW ENFORCEMENT AGENCY SERVING THE TEMPORARY PROTECTION ORDER SHALL NOTIFY THE PETITIONER BY TELEPHONE OR WRITTEN CORRESPONDENCE WHEN THE TEMPORARY PROTECTION ORDER IS SERVED IF THE PETITIONER HAS PROVIDED TO THE LAW ENFORCEMENT AGENCY EITHER TELEPHONE NUMBER OR ADDRESS OR BOTH WHERE THE PETITIONER MAY BE CONTACTED.

As the Petitioner I understand that the Clerk of Courts will provide a copy of the petition for protection order, protection order and notice of hearing to law enforcement for service upon the respondent. Once service of the protection order upon the respondent has been completed, I ask that the Sheriff's Office provide me notice by: *(check one or more options)*

☐ Telephone ☐ Email ☐ My Mailing Address ☐ I do not wish to be notified.

I request the Clerk of Courts to provide me with a copy of the order and notice of hearing by: *(check one)*

☐ Email ☐ My Mailing Address ☐ I will personally pickup.

Dated

Petitioner's Signature

Respondent Information

TPO: _____ Date: _____

Required Information

Name: _____ Date of Birth _____ (MM/DD/YYYY)

Sex: ☐ Male ☐ Female ☐ Unknown

Driver's License Number: _____ License State: _____ SSN: _____

Present Street Address: _____

City: _____ State: _____ Zip Code: _____

Mailing Street Address: _____

City: _____ State: _____ Zip Code: _____

Race: ☐ Asian/Pacific Islander ☐ Black ☐ American Indian ☐ Other ☐ White ☐ Unknown

Eye Color: _____ Hair Color: _____ Weight: _____ Height: _____

Distinguishing Features: _____

Phone Numbers: 1 _____ ☐ Home ☐ Work ☐ Cell ☐ Other ☐ Fax

2 _____ ☐ Home ☐ Work ☐ Cell ☐ Other ☐ Fax

3 _____ ☐ Home ☐ Work ☐ Cell ☐ Other ☐ Fax

Misc. Indicator: ☐ Marital Arts Expert ☐ Explosive Expert ☐ Known to Abuse Drugs

Medical Indicator: ☐ Heart Condition ☐ Alcoholic ☐ Allergies ☐ Epilepsy ☐ Suicidal

☐ Medication Required ☐ Hemophiliac ☐ Diabetic ☐ Other: _____

Interpreter Needed ☐ Language: _____

Respondent Vehicles

Plate Number	State	Year	Make	Model	Color

Occupation: _____ Place of Employment: _____

Workdays: _____ Work Hours: _____

Other persons at Respondent's Residence: _____

Other addresses of locations (hangouts) where Respondent can be found:

Location: _____
City: _____ State: _____ Zip Code: _____

Location: _____
City: _____ State: _____ Zip Code: _____

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

Petitioner _____ v. Respondent _____	TPO No.: _____ PETITION AND STATEMENT FOR A PROTECTION ORDER (VULNERABLE ADULT)
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I, _____, being duly sworn upon oath state and affirm the following:

I am the (check one): ☐ Petitioner

☐ Filing on behalf of the Petitioner (as the "Substitute Petitioner"), and my relationship to the Petitioner is (describe): _____

The Petitioner is a vulnerable adult because the Petitioner is: (check one)

☐ A person sixty-five years of age or older who is unable to protect himself or herself.

☐ 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:

- a) An intellectual disability;
- b) Infirmities of aging as manifested by organic brain damage;
- c) Advance age; or
- d) Other physical dysfunctioning.

The Petitioner is, or the Respondent is, a South Dakota resident.

Petitioner's residence is in _____ County, _____ (state)

Respondent's residence is in _____ County, _____ (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 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 Respondents confidential relationship to Petitioner)

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

On or about the _____, day in the month of _____, and year of _____, at approximately _____ o'clock ☐ am/ ☐ pm **(check one)**, Respondent committed the following act(s) of vulnerable adult abuse against Petitioner: **(check any that apply)**

- ☐ Respondent caused Petitioner physical harm or bodily injury.
- ☐ Respondent attempted to cause Petitioner physical harm or bodily injury.
- ☐ Respondent caused petitioner fear of imminent physical harm or bodily injury.
- ☐ Respondent was Petitioner's caretaker or was entrusted with Petitioner's property at the time and neglected Petitioner's health or welfare without medical justification and within Petitioner's means.
- ☐ Respondent was Petitioner's family member, Petitioner's caretaker, or a person in whom Petitioner placed trust and confidence at the time Respondent defrauded and/or stole Petitioner's property.
- ☐ Respondent was Petitioner's caretaker or was entrusted with Petitioner's property during the time Respondent repeatedly and without Petitioner's consent directed obscene sexual acts or simulated sexual acts at Petitioner (detail the number of instances, dates and times below).
- ☐ Respondent was Petitioner's caretaker or was entrusted with Petitioner's property during the time Respondent repeatedly and unreasonably confined Petitioner (detail the number of instances, dates and times below).
- ☐ Respondent was Petitioner's caretaker or was entrusted with Petitioner's property during the time Respondent willfully, maliciously, and repeatedly harmed, damaged or destroyed Petitioner's property (detail the number of instances, dates and times below).

☐ Respondent was Petitioner's caretaker or was entrusted with Petitioner's property during the time Respondent willfully, maliciously, and repeatedly ridiculed, demeaned, verbally harassed, or threatened Petitioner (detail the nature, dates, and times of these incidents below).

Provide a detailed description of what happened on the above date:

Was law enforcement called or these incidents? ☐ Yes ☐ No ☐ Don't Know
Was Respondent arrested for the incident(s)? ☐ Yes ☐ No ☐ Don't Know
Is Respondent in jail? ☐ Yes ☐ No ☐ Don't Know
Has Respondent violated Previous protection orders? ☐ Yes ☐ No ☐ Don't Know

If so, against whom: _____

Date of violation: _____

County and State of violation: _____

Has Respondent been found guilty of violating previous protection order? ☐ Yes ☐ No ☐ Don't Know

If so, against whom: _____

State the date of the conviction: _____

And the County and State of the conviction: _____

Does Respondent possess guns or weapons? ☐ Yes ☐ No ☐ Don't Know
Was a weapon used in this incident? ☐ Yes ☐ No ☐ Don't know
Has Respondent threatened anyone with a weapon? ☐ Yes ☐ No ☐ Don't Know

Provide a detailed description of other similar incidents or actions (*please include dates and times if possible*):

REQUEST FOR HEARING AND PROTECTION ORDER

Based upon the Petition and Statement in which I truthfully set forth the details of vulnerable adult abuse, I respectfully ask the Court to set a date to hear this matter and after hearing the evidence, to grant Petitioner a Protection Order:

- ☐ 1) To restrain Respondent from acts of vulnerable adult abuse.
- ☐ 2) To grant the Protection Order for a period of _____ time (no longer than 5 years)
- ☐ 3) To exclude Respondent from:
- a) Petitioner's residence listed in 4B; or
 - b) Require Respondent provide Petitioner with suitable alternative housing.
- ☐ 4) Order that Respondent shall not come within a distance of _____ from the following persons and places:
- ☐ a) The Petitioner personally
 - ☐ b) Petitioner's residence (Street/apt) _____
(City) _____, (State) _____, (Zip Code) _____
 - ☐ c) Petitioner's Place of employment (Street) _____
(City) _____, (State) _____, (Zip Code) _____
 - ☐ d) Other Places (Street/apt) _____
(City) _____, (State) _____, (Zip Code) _____

(Street/apt) _____
(City) _____, (State) _____, (Zip Code) _____

Street/apt _____
(City) _____, (State) _____, (Zip Code) _____
- ☐ 5) To restrain Respondent from exercising any fiduciary powers on Petitioner's behalf through a court-appointed guardian, conservator, guardian ad litem, agent, or another third party.
- ☐ 6) To require a peace officer, accompany the party who is leaving or has left the residence while that party is removing essential personal effects.
- ☐ 7) That the Respondent be restrained from contact with Petitioner by any direct or indirect means except as authorized by a court order.
- ☐ 8) To Order other relief which I believe is necessary for Petitioner:
- _____
- _____
- _____
- _____
- _____

- ☐ 9) Where Petitioner was the victim of financial exploitation:
- ☐ a) To direct Respondent to refrain from exercising control over Petitioner's funds, benefits, property, resources, belongings, or assets.
 - ☐ b) To require Respondent return custody or control of Petitioner's funds, benefits, property, resources, belongings, or assets.
 - ☐ c) To require Respondent, follow the instructions of Petitioner's guardian, conservator, or agent.
 - ☐ d) To prohibit Respondent from transferring Petitioner's funds, benefits, property, resources, belongings, or assets to any person other than Petitioner.

(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, or any Protected Parties will suffer immediate and irreparable injury or damage if you or they have to wait until the hearing.)

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 by SDCL 22-46-1, in addition to what I have requested in sections 1 through 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 schedule hearing are:

On this ____ day of _____, _____, I swear or affirm that the information I have provided is in this Petition and Statement 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 the person I am

seeking protection against and am not attempting to abuse or delay the court process or any other legal action.

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct.

Signed on the _____ day of _____, _____ at _____.
(Date) (Month) (Year) (City, or other location, and State)

Your Signature as ☐ Petitioner/ ☐ Substitute Petitioner **(check one)**

COUNTY OF _____

____ JUDICIAL CIRCUIT

Petitioner v. Respondent	TPO No.: _____ NOTICE OF HEARING AND SUMMONS TO APPEAR (VULNERABLE ADULT ABUSE)
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TO THE PARTIES:

YOU ARE NOTIFIED that the Petitioner and Statement has been filed with the Court seeking a Protection Order against you according to the provisions of SDCL 21-65. A copy of the Petition and Statement together with a copy of an Ex Parte Temporary Order of Protection, if one has been issued, is attached to this summons, and is served upon you.

☐ Temporary Order of Protection denied. Hearing only.

There will be a hearing on the Petitioner's Petition on the _____ day of _____, 20____
at _____ .M., in the _____ County Courthouse, in _____
(courtroom), in _____, South Dakota.

IF YOU FAIL TO APPEAR AT THE HEARING AND ANSWER THE PETITION, AN ORDER OF PROTECTION MAY BE ENTERED AGAINST YOU AS REQUESTED.

Service of this notice is authorized on any day including Sunday.

DATED:

Judge _____

Attest _____, Clerk of Court

By _____, Deputy

ACKNOWLEDGMENT OF PERSONAL SERVICE

I acknowledge receipt of a copy of this Notice of Hearing

Petitioner	Date
------------	------

Respondent	Date
------------	------

STATE OF SOUTH DAKOTA

COUNTY OF

)
)
)

IN CIRCUIT COURT

JUDICIAL CIRCUIT

VULNERABLE ADULT ABUSE

☒ **EX PARTE TEMPORARY** ☐ **PERMANENT**

☐ **MODIFICATION**

ORDER FOR PROTECTION

TPO NO. _____

PETITIONER

First Middle Last

By Substitute Petitioner (name and DOB):

On behalf of the Vulnerable Adult Petitioner.

V.
RESPONDENT

First Middle Last

Relationship to Petitioner:

Respondent's Address:

PETITIONER IDENTIFIERS:

Date of Birth of Petitioner

Substitute Petitioner's Relationship to
Petitioner:

RESPONDENT IDENTIFIERS:

SEX	RACE	HEIGHT	WEIGHT
EYES	HAIR	DATE OF BIRTH	
DRIVERS LICENSE #		STATE	EXPDATE

Distinguishing Features:

CAUTION: ☐ Weapon Involved

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights.

THE COURT ORDERS:

That the Respondent is restrained from acts of physical abuse, emotional and psychological abuse, neglect, and financial exploitation of a vulnerable adult.

That the Respondent is restrained from contact with the Petitioner by any direct or indirect means to the extent stated in the following pages.

Additional findings and orders are on the following pages.

This order shall be effective _____ through _____
Month/Day Year Month/Day Year

Or if a permanent order is issued, until that order is served.

Only this Court can change this Order.

VIOLATION OF THIS PROTECTION ORDER IS A CRIMINAL OFFENSE

WARNING TO RESPONDENT: This Order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. §2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (See 18 U.S.C. §§2262, 2265).

ADDITIONAL FINDINGS:

Having considered the Petition and Affidavit presented by the Petitioner or Substitute Petitioner, this **Court FINDS:**

- A. That jurisdiction and venue are properly before this Court;
- B. That the above-named Petitioner is eligible for a vulnerable adult protection order pursuant to SDCL ch. 21-65;
- C. That the Petitioner or Substitute Petitioner has alleged that the Respondent has committed one or more acts of vulnerable adult abuse as defined by law; and
- D. That the Petitioner or Substitute Petitioner alleges that the Petitioner is in present danger of vulnerable adult abuse before the Respondent or the Respondent's attorney can be heard in opposition.

ADDITIONAL ORDERS:

- ☐ 1) The Respondent is excluded from the Petitioner's residence listed in 2B.
- ☐ 2) The Respondent shall not come within a distance of _____ from the following persons and places:
 - ☐ A. The Petitioner personally
 - ☐ B. The Petitioner's residence (street/apt) _____
(city) _____, (state) _____ (zip) _____
 - ☐ C. The Petitioner's place of employment (street) _____
(city) _____, (state) _____ (zip) _____
 - ☐ D. Other places (street/apt) _____
(city) _____, (state) _____ (zip) _____

This distance restriction applies unless otherwise specified in this Order.

- ☐ 3) The Respondent is restrained from exercising any powers on behalf of the Petitioner through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.
- ☐ 4) This **Court FINDS** that Respondent has financially exploited the Petitioner pursuant to SDCL 21-65-1(7) and 21-65-12 and **ORDERS:**
 - ☐ A. The Respondent is restrained from exercising control over the funds, benefits, property, resources, belongings, or assets of the Petitioner, except as otherwise provided for in this Order.
 - ☐ B. The Respondent shall return custody or control of the funds, benefits, property, resources, belongings, or assets:
 - ☐ To the Petitioner.
 - ☐ To the Petitioner's guardian / conservator / attorney in fact, namely _____
(circle)
 - ☐ C. The Respondent shall follow the instructions of the guardian, conservator, or attorney in fact of the Petitioner, namely _____.
 - ☐ D. The Respondent is prohibited from transferring any funds, benefits, property, resources, belongings, or assets of the Petitioner to any person other than the Petitioner, except as otherwise provided in this Order.
- ☐ 5) Phone calls, emails, third party contact, including correspondence, direct or indirect, are not permitted, to Petitioner, except as follows:

☐6) Other relief as follows:

WARNING TO RESPONDENT: VIOLATION OF THIS PROTECTION ORDER IS A CRIMINAL OFFENSE even if any person protected by the Order initiates the contact or invites you to violate the Order’s prohibitions. Only the court can change the Order; the protected person cannot waive any of its provisions.

This order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Trial Lands (18 U.S.C.§2265).

AND IT IS FURTHER ORDERED THAT: the Clerk shall, immediately upon the granting of this Order, deliver two copies of this Order to the sheriff of this county. One copy shall be personally served by the sheriff upon the Respondent unless personal service has been acknowledged below.

Dated: / /

Service of this Order is authorized on any day including Sunday.

JUDGE

Attest: /S/ , Clerk of Courts

By: , Deputy

**NOTICE OF ENTRY OF ORDER AND
ACKNOWLEDGMENT OF PERSONAL SERVICE**

I acknowledge receipt of a copy of this Temporary Order of Protection.

Petitioner	Date	Respondent	Date

UNDER A PERMANENT PROTECTION ORDER: You may be subject to the following federal laws: (1) Effective immediately, you may not possess, carry, ship or transport any firearm or ammunition that has been transported in interstate or foreign commerce while this Protection Order is in effect. Title 18 United States Code Section 922(g)(8). (2) If you violate this Protection Order and are convicted of an offense of domestic violence, you may be forbidden for life from possessing, carrying, shipping or transporting, any firearm or ammunition that has been transported in interstate or foreign commerce. Title 18 United States Code Section 922(g)(9). Violation of these federal laws carries a maximum penalty of ten years in prison, a \$250,000 fine, or both.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

Petitioner _____ v. Respondent _____	TPO No.: _____ MOTION TO MODIFY TEMPORARY PROTECTION ORDER (VULNERABLE ADULT ABUSE)
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I am the ☐ Petitioner/ ☐ Substitute Petitioner who originally petitioned the Court for Temporary Protection Order.

I am the ☐ Respondent and the one against whom the Temporary Protection Order was granted.

I am requesting that the Court change certain terms in the Temporary Order of Protection. *(Describe what you would like changed in the Temporary Order of Protection)*

Describe why you want the Temporary Order of Protection changed:

On this _____ day of _____, _____, I swear or affirm that the information I have provided in this Motion to Modify are true and correct to the best of my knowledge. I believe I am entitled to the modification I have requested. I am asking for this modification for valid reasons and am not attempting to harass the other party and am not attempting to abuse or delay the court process or any other legal action.

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct.

Signed on the _____ day of _____, _____ at _____.

(Date) (Month) (Year) (City, or other location, and State)

Signature
☐ Petitioner/ ☐ Substitute Petitioner/ ☐ Respondent **(check one)**

STATE OF SOUTH DAKOTA)
)
COUNTY OF _____)

IN _____ COURT
_____, JUDICIAL CIRCUIT

VULNERABLE ADULT ABUSE
☒ **EX PARTE TEMPORARY** ☐ **PERMANENT**
☒ **MODIFICATION**

ORDER FOR PROTECTION

TPO NO. _____

PETITIONER

--	--	--

First Middle Last

By Substitute Petitioner (name and DOB):

On behalf of a Vulnerable Adult Petitioner.

V.

RESPONDENT

--	--	--

First Middle Last

Relationship to Petitioner:

Respondent's Address:

CAUTION: ☐ Weapon Involved

PETITIONER IDENTIFIERS:

--

Date of Birth of Petitioner

Substitute Petitioner's Relationship to Petitioner:

RESPONDENT IDENTIFIERS:

SEX	RACE	HEIGHT	WEIGHT
EYES	HAIR	DATE OF BIRTH	
DRIVERS LICENSE #		STATE	EXPDATE

Distinguishing Features:

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights.

THE COURT ORDERS:

That the Respondent is restrained from acts of physical abuse, emotional and psychological abuse, neglect, and financial exploitation of a vulnerable adult.

That the Respondent is restrained from contact with the Petitioner by any direct or indirect means except as authorized in this Order.

Additional findings and orders are on the following pages.

This Order shall be effective

--

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 through

--

--

Month/Day Year Month/Day Year

Or if a permanent order is issued, until that order is served.

Only this Court can change this Order.

WARNING TO RESPONDENT: This Order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. §2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. §2262).

ADDITIONAL FINDINGS:

Having considered the Petition, Affidavit, and Motion to Modify presented by the Petitioner or Substitute Petitioner, this **Court FINDS:**

- A. That jurisdiction and venue are properly before this Court;
- B. That the above-named Petitioner is eligible for a vulnerable adult protection order pursuant to SDCL ch. 21-65;
- C. That the Petitioner or Substitute Petitioner has alleged that the Respondent has committed one or more acts of vulnerable adult abuse as defined by law; and
- D. That the Petitioner or Substitute Petitioner alleges that the Petitioner is in present danger of vulnerable adult abuse before the Respondent or the Respondent's attorney can be heard in opposition.

ADDITIONAL ORDERS:

- ☐ 1) The Respondent is excluded from the Petitioner's residence listed in 2B.
- ☐ 2) The Respondent shall not come within a distance of _____ from the following persons and places:
 - ☐ A. The Petitioner personally
 - ☐ B. The Petitioner's residence(street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
 - ☐ C. The Petitioner's place of employment (street) _____
(city) _____, (state) _____ (zip) _____ - _____
 - ☐ D. Other places (street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
(street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
(street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____

This distance restriction applies unless otherwise specified in this Order.
- ☐ 3) The Respondent is restrained from exercising any powers on behalf of the Petitioner through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.
- ☐ 4) This **Court FINDS** that Respondent has financially exploited the Petitioner pursuant to SDCL 21-65-1(7) and 21-65-12 and **ORDERS:**
 - ☐ A. The Respondent is restrained from exercising control over the funds, benefits, property, resources, belongings, or assets of the Petitioner, except as otherwise provided for in this Order.
 - ☐ B. The Respondent shall return custody or control of the funds, benefits, property, resources, belongings, or assets:
 - ☐ To the Petitioner.
 - ☐ To the Petitioner's guardian / conservator / attorney in fact, namely _____
(circle)
 - ☐ C. The Respondent shall follow the instructions of the guardian, conservator, or attorney in fact of the Petitioner, namely _____.
 - ☐ D. The Respondent is prohibited from transferring any funds, benefits, property, resources, belongings, or assets of the Petitioner to any person other than the Petitioner, except as otherwise provided in this Order.
- ☐ 5) Phone calls, emails, third party contact, including correspondence, direct or indirect, are not permitted, to Petitioner, except as follows:

☐ 6) Other relief as follows: _____

WARNING TO RESPONDENT: You may be held in contempt for violating this Protection Order even if any person protected by the Order initiates the contact or invites you to violate the Order's prohibitions. Only the court can change the Order; the protected person cannot waive any of its provisions.

AND IT IS FURTHER ORDERED THAT: the Petitioner shall, immediately upon the granting of this Order, deliver two copies of this Order and two copies of the Motion to Modify to the sheriff of this county. One copy of each shall be personally served by the sheriff upon the Respondent.

DATED _____/_____/_____.

Service of this Order is authorized on any day including Sunday.

Judge

Attest: _____, Clerk of Courts

By: _____, Deputy

STATE OF SOUTH DAKOTA

COUNTY OF

)
)
)

IN CIRCUIT COURT

JUDICIAL CIRCUIT

VULNERABLE ADULT ABUSE

☐ EX PARTE TEMPORARY ☒ PERMANENT

☐ MODIFICATION

ORDER FOR PROTECTION

TPO NO. _____

PETITIONER

First

Middle

Last

By Substitute Petitioner (name and DOB):

On behalf of the Vulnerable Adult Petitioner.

**V.
RESPONDENT**

First

Middle

Last

Relationship to Petitioner:

Respondent's Address:

PETITIONER IDENTIFIERS:

Date of Birth of Petitioner

Substitute Petitioner's Relationship to
Petitioner:

RESPONDENT IDENTIFIERS:

SEX	RACE	HEIGHT	WEIGHT
EYES	HAIR	DATE OF BIRTH	
DRIVERS LICENSE #		STATE	EXPDATE

Distinguishing Features:

CAUTION: ☐ Weapon Involved

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent has been provided with reasonable notice and opportunity to be heard, and that in the case of an ex parte order, the Respondent will be provided with reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights.

THE COURT ORDERS:

That the Respondent is restrained from acts of physical abuse, emotional and psychological abuse, neglect, and financial exploitation of a vulnerable adult.

That the Respondent is restrained from contact with the Petitioner by any direct or indirect means to the extent stated in the following pages.

Additional findings and orders are on the following pages.

This order shall be effective _____ through _____
Month/Day Year Month/Day Year

Only this Court can change this Order.

VIOLATION OF THIS PROTECTION ORDER IS A CRIMINAL OFFENSE

WARNING TO RESPONDENT: This Order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. §2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (*See* 18 U.S.C. §§2262, 2265).

ADDITIONAL FINDINGS:

This matter came before this Court on this day and the following parties appeared personally:

☐ Petitioner ☐ Petitioner's Attorney _____ ☐ Other _____
☐ Substitute Petitioner ☐ S. Petitioner's Atty _____ ☐ Other _____
☐ Respondent ☐ Respondent's Attorney _____ ☐ Other _____

- ☐ 1) This **Court FINDS** that, without admitting to the allegations in the Petition, the Respondent waives further hearing, findings of fact, and conclusions of law, and stipulates to the entry of an Order of Protection on the terms specified below.
- ☐ 2) Having considered the evidence presented and any affidavits and pleadings on file, this Court **FINDS**:
- A. That jurisdiction and venue are properly before this Court;
 - B. That the above-named Petitioner is eligible for a protection order pursuant to SDCL ch.21-65;
 - C. By a preponderance of the evidence that "vulnerable adult abuse" as defined by SDCL 21-65-1(4) has occurred; and
 - D. That the Respondent had actual notice of the hearing and an opportunity to participate.

ADDITIONAL ORDERS:

- ☐ 1) The Respondent is excluded from the Petitioner's residence listed in 2B.
- ☐ 2) The Respondent shall not come within a distance of _____ from the following persons and places:
- ☐ A. The Petitioner personally
 - ☐ B. The Petitioner's residence (street/apt) _____
(city) _____, (state) _____ (zip) _____
 - ☐ C. The Petitioner's place of employment (street) _____
(city) _____, (state) _____ (zip) _____
 - ☐ D. Other places (street/apt) _____
(city) _____, (state) _____ (zip) _____

This distance restriction applies unless otherwise specified in this Order.

- ☐ 3) The Respondent is restrained from exercising any powers on behalf of the Petitioner through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.
- ☐ 4) This **Court FINDS** that Respondent has financially exploited the Petitioner pursuant to SDCL 21-65-1(7) and 21-65-12 and **ORDERS**:
- ☐ A. The Respondent is restrained from exercising control over the funds, benefits, property, resources, belongings, or assets of the Petitioner, except as otherwise provided for in this Order.
 - ☐ B. The Respondent shall return custody or control of the funds, benefits, property, resources, belongings, or assets:
 - ☐ To the Petitioner.
 - ☐ To the Petitioner's guardian / conservator / attorney in fact, namely _____
(circle)
 - ☐ C. The Respondent shall follow the instructions of the guardian, conservator, or attorney in fact of the Petitioner, namely _____.
 - ☐ D. The Respondent is prohibited from transferring any funds, benefits, property, resources,

belongings, or assets of the Petitioner to any person other than the Petitioner, except as otherwise provided in this Order.

- ☐ 5) Phone calls, emails, third party contact, including correspondence, direct or indirect, are not permitted, to Petitioner, except as follows:

- ☐ 6) Other relief as follows: _____

WARNING TO RESPONDENT: VIOLATION OF THIS PROTECTION ORDER IS A CRIMINAL OFFENSE even if any person protected by the Order initiates the contact or invites you to violate the Order's prohibitions. Only the court can change the Order; the protected person cannot waive any of its provisions.

This order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. §2265).

AND IT IS FURTHER ORDERED THAT: the Clerk shall, immediately upon the granting of this Order, deliver two copies of this Order to the sheriff of this county. One copy shall be personally served by the sheriff upon the Respondent unless personal service has been acknowledged below.

Dated: _____ / _____ / _____

Service of this Order is authorized on any day including Sunday.

JUDGE

Attest: /S/ _____, Clerk of Courts

By: _____, Deputy

**NOTICE OF ENTRY OF ORDER AND
ACKNOWLEDGMENT OF PERSONAL SERVICE**

I acknowledge receipt of a copy of this Order of Protection.

Petitioner

Date

Respondent

Date

UNDER A PERMANENT PROTECTION ORDER: You may be subject to the following federal laws: (1) Effective immediately, you may not possess, carry, ship or transport any firearm or ammunition that has been transported in interstate or foreign commerce while this Protection Order is in effect. Title 18 United States Code Section 922(g)(8). (2) If you violate this Protection Order and are convicted of an offense of domestic violence, you may be forbidden for life from possessing, carrying, shipping or transporting, any firearm or ammunition that has been transported in interstate or foreign commerce. Title 18 United States Code Section 922(g)(9). Violation of these federal laws carries a maximum penalty of ten years in prison, a \$250,000 fine, or both.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

Petitioner _____ v. Respondent _____	TPO No.: _____ MOTION TO MODIFY PERMANENT PROTECTION ORDER (VULNERABLE ADULT ABUSE)
---	--

I am the ☐ Petitioner / ☐ Substitute Petitioner who petitioned for a Protection Order.

I am the ☐ Respondent and the one against whom the Permanent Protection Order was granted.

I am requesting that the Court change certain terms in the Permanent Order of Protection. *(Describe what you would like changed in the Permanent Order of Protection)*

Describe why you want the Permanent Order of Protection changed:

On this _____ day of _____, _____, I swear or affirm that the information I have provided in this Motion to Modify are true and correct to the best of my knowledge. I believe I am entitled to the modification I have requested. I am asking for this modification for valid reasons and am not attempting to harass the other party and am not attempting to abuse or delay the court process or any other legal action.

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct.

Signed on the _____ day of _____, _____ at _____.
(Date) (Month) (Year) (City, or other location, and State)

Signature
☐ Petitioner/ ☐ Respondent/ ☐ Substitute Petitioner **(check one)**

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

_____ Petitioner v. _____ Respondent	TPO No.: _____ NOTICE OF HEARING ON MOTION TO MODIFY AND SUMMONS TO APPEAR (VULNERABLE ADULT ABUSE)
---	--

TO THE PARTIES:

YOU ARE NOTIFIED that a Motion to Modify has been filed with this Court seeking a modification of the permanent protection order filed against you, according to the provisions of SDCL 21-65. A copy of the Motion to Modify is attached to this Summons and is served upon you.

There will be a hearing on the Petitioner's Motion on the _____ day of _____,
20_____, at _____ .M. in the _____ County Courthouse in
_____ (Courtroom) in _____, South Dakota.

IF YOU FAIL TO APPEAR AT THE HEARING AND ANSWER THE MOTION, THE ORDER OF PROTECTION MAY BE MODIFIED AS REQUESTED.

Dated: _____

**Service of this notice is authorized
on any day including Sunday.**

Judge

Attest: _____, Clerk of Courts

By: _____, Deputy

ACKNOWLEDGMENT OF PERSONAL SERVICE

I acknowledge receipt of a copy of this Notice of Hearing

☐ Petitioner/ ☐ Substitute Petitioner	Date	Respondent	Date
---	------	------------	------

STATE OF SOUTH DAKOTA)
)
COUNTY OF _____)

IN _____ COURT

JUDICIAL CIRCUIT

VULNERABLE ADULT ABUSE

☐ EX PARTE TEMPORARY ☒ PERMANENT
☒ MODIFICATION

ORDER FOR PROTECTION

TPO NO. _____

PETITIONER

First Middle Last

By Substitute Petitioner (name and DOB):

On behalf of the Vulnerable Adult Petitioner.

V.

RESPONDENT

First Middle Last

Relationship to Petitioner:

Respondent's Address:

CAUTION: ☐ Weapon Involved

PETITIONER IDENTIFIERS:

Date of Birth of Petitioner

Substitute Petitioner's Relationship to Petitioner:

RESPONDENT IDENTIFIERS:

SEX	RACE	HEIGHT	WEIGHT
EYES	HAIR	DATE OF BIRTH	
DRIVERS LICENSE #		STATE	EXPDATE

Distinguishing Features:

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent has been provided with reasonable notice and opportunity to be heard.

THE COURT ORDERS:

That the Respondent is restrained from acts of physical abuse, emotional and psychological abuse, neglect, and financial exploitation of a vulnerable adult.

That the Respondent is restrained from contact with the Petitioner by any direct or indirect means except as authorized in this Order.

Additional findings and orders are on the following pages.

This Order shall be effective _____ through _____
Month/Day Year Month/Day Year

Only this Court can change this Order.

WARNING TO RESPONDENT: This Order shall be enforced, even without registration, by courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. §2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. §2262).

ADDITIONAL FINDINGS:

This matter came before this Court on this day and the following parties appeared personally:

- ☐ Petitioner ☐ Petitioner's Attorney _____ ☐ Other _____
☐ Substitute Petitioner ☐ S. Petitioner's Attorney _____ ☐ Other _____
☐ Respondent ☐ Respondent's Attorney _____ ☐ Other _____

- ☐ 1) This **Court FINDS** that, without admitting to the allegations in the Petition, the Respondent waives further hearing, findings of fact, and conclusions of law, and stipulates to the entry of an Order of Protection on the terms specified below.
- ☐ 2) Having considered the evidence presented and any affidavits and pleadings on file, this **Court FINDS**:
- A. That jurisdiction and venue are properly before this Court;
 - B. That the above-named Petitioner is eligible for a protection order pursuant to SDCL ch. 21-65;
 - C. By a preponderance of the evidence that "vulnerable adult abuse" as defined by SDCL 21-65-1(4), has occurred; and
 - D. That the Respondent had actual notice of the hearing and an opportunity to participate.

ADDITIONAL ORDERS:

- ☐ 1) The Respondent is excluded from the Petitioner's residence listed in 2B.
- ☐ 2) The Respondent shall not come within a distance of _____ from the following persons and places:
- ☐ A. The Petitioner personally
 - ☐ B. The Petitioner's residence (street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
 - ☐ C. The Petitioner's place of employment (street) _____
(city) _____, (state) _____ (zip) _____ - _____
 - ☐ D. Other places (street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
(street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____
(street/apt) _____
(city) _____, (state) _____ (zip) _____ - _____

This distance restriction applies unless otherwise specified in this Order.

- ☐ 3) The Respondent is restrained from exercising any powers on behalf of the Petitioner through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.
- ☐ 4) This **Court FINDS** that Respondent has financially exploited the Petitioner pursuant to SDCL 21-65-1(7) and 21-65-12 and **ORDERS**:
- ☐ A. The Respondent is restrained from exercising control over the funds, benefits, property, resources, belongings, or assets of the Petitioner, except as otherwise provided for in this Order.
 - ☐ B. The Respondent shall return custody or control of the funds, benefits, property, resources, belongings, or assets:
 - ☐ To the Petitioner.
 - ☐ To the Petitioner's guardian / conservator / attorney in fact, namely _____
(circle)
 - ☐ C. The Respondent shall follow the instructions of the guardian, conservator, or attorney in fact of the Petitioner, namely _____.
 - ☐ D. The Respondent is prohibited from transferring any funds, benefits, property, resources, belongings, or assets of the Petitioner to any person other than the Petitioner, except as otherwise provided in this Order.

- ☐ 5) Phone calls, emails, third party contact, including correspondence direct or indirect, are not permitted, to Petitioner, except as follows:

- ☐ 6) Other relief as follows: _____

WARNING TO RESPONDENT: You may be held in contempt for violating this Protection Order even if any person protected by the Order initiates the contact or invites you to violate the Order's prohibitions. Only the court can change the Order; the protected person cannot waive any of its provisions.

AND IT IS FURTHER ORDERED THAT: the Petitioner shall, immediately upon the granting of this Order, deliver two copies of this Order and two copies of the Motion to Modify to the sheriff of this county. One copy of each shall be personally served by the sheriff upon the Respondent, unless personal service has been acknowledged below.

DATED ____/____/____.

Service of this Order is authorized on any day including Sunday.

Judge

Attest: _____, Clerk of Courts

By: _____, Deputy

**NOTICE OF ENTRY OF ORDER AND
ACKNOWLEDGMENT OF PERSONAL SERVICE
I acknowledge receipt of a copy of this Order of Protection.**

Petitioner /
Substitute Petitioner
(circle one)

Date

Respondent

Date

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

Petitioner _____ v. Respondent _____	TPO No.: _____ CONTINUANCE OF TEMPORARY PROTECTION ORDER AND ORDER TO SHOW CAUSE (VULNERABLE ADULT)
---	--

The hearing scheduled for the ____ day of _____, 20____, has been rescheduled.

IT IS HEREBY ORDERED the Respondent shall present themselves before the above-captioned Court on the ____ day of _____, 20____, at the hour of _____.M., in the _____ County Courthouse in courtroom _____, South Dakota before a judge of the Court to show cause, if any, why in the Ex Parte Temporary Protection Order should not be made permanent within the provisions of SDCL 21-65.

IT IS FURTHER ORDERED the Temporary Protection Order dated ____ day of _____, 20____, on file herein, is continued through the ____ day of _____, 20____.

DATED: _____

**Service of this notice is authorized
on any day including Sunday.**

Judge

Attest: _____, Clerk of Courts

By: _____, Deputy

ACKNOWLEDGMENT OF PERSONAL SERVICE

I acknowledge receipt of a copy of this Continuance of Temporary Protection Order

☐ Petitioner/☐ Substitute Petitioner _____ Date _____

Respondent _____ Date _____

STATE OF SOUTH DAKOTA

IN _____ COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

Petitioner v. Respondent	TPO No.: _____ MOTION TO DISMISS PROTECTION ORDER (VULNERABLE ADULT ABUSE)
---	---

(Please check the box that best describes you.)

I am the ☐ Petitioner/ ☐ Substitute Petitioner who petitioned for a Temporary Protection Order.

I am ☐ the Respondent and the one against whom the Temporary Protection Order was granted.

I am/We are requesting that the Court dismiss the Order of Protection that was filed in this case.

I am/We are requesting that the Order of Protection be dismissed based on the following grounds:

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct.

Signed on the _____ day of _____, _____ at _____.

(Date) (Month) (Year) (City or other location, and State)

☐ Petitioner / ☐ Substitute Petitioner
(Check One)

Respondent

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

_____ Petitioner v. _____ Respondent	TPO No.: _____ ORDER DISMISSING PROTECTION ORDER (VULNERABLE ADULT)
---	--

THIS CASE IS DISMISSED:

- ☐ 1. Based upon the request of the Petitioner.
- ☐ 2. Based on the request of the Substitute Petitioner.
- ☐ 3. Based upon the request of the Respondent.
- ☐ 4. Based on the failure of the Petitioner/Substitute Petitioner to appear at the hearing that was set when the Petitioner/Substitute Petitioner applied for the Order of Protection.
- ☐ 5. Based on the Court's findings that the Petitioner failed to provide sufficient evidence to support, by a preponderance of the evidence, a finding that "vulnerable adult abuse" has occurred as defined by SDCL 21-65-1(4).;
- ☐ 6. Other: _____

Dated: _____

Judge

Attest:

_____, Clerk of Court

By: _____, Deputy

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

_____ Petitioner v. _____ Respondent	TPO No.: _____ DENIAL OF PETITION FOR PROTECTION ORDER (VULNERABLE ADULT ABUSE)
---	--

Having examined the Petition for Protection Order it is found that sufficient grounds are not alleged for relief and the Petition is denied without hearing.

Dated: _____

Judge

Attest:

_____, Clerk of Court

By: _____, Deputy

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

_____ Petitioner v. _____ Respondent	TPO No.: _____ ORDER GRANTING REQUEST TO WITHDRAW PETITION FOR PROTECTION ORDER (VULNERABLE ADULT)
---	---

The Petitioner/Substitute Petitioner's request to withdraw the Petition for Protection Order (Vulnerable Adult Abuse) is hereby granted.

Dated: _____

Judge

ATTEST

_____, Clerk of Court

By: _____, Deputy