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**REQUEST FOR HEARING AND PROTECTION ORDER**

Based upon this Petition and Affidavit in which I truthfully set forth the details of the stalking, I respectfully ask the court to set a date to hear this matter and after hearing the evidence, to grant me a Protection Order:

- 1) To Restrain the Respondent from:
  - a) following or harassing, or making any credible threat with the intent to place petitioner(s) in reasonable fear of death or great bodily injury, SDCL 22-19A-1;
  - b) from causing any injury as a result of an assault or a crime of violence, SDCL 22-1-2(9).
- 2) To Grant the Protection Order for a period of \_\_\_\_\_ time (*no longer than 5 years*).
- 3) To exclude the Respondent from the Petitioner’s residence listed in 4C.
- 4) To Order that the Respondent shall not come within a distance of \_\_\_\_\_ from the following persons and places:

- A. The Petitioner personally
- B. The following minor children named as other protected persons:

| Name  | Date of birth | Relationship |
|-------|---------------|--------------|
| _____ | _____         | _____        |
| _____ | _____         | _____        |
| _____ | _____         | _____        |

- C. The Petitioner’s residence (street/apt) \_\_\_\_\_  
(city) \_\_\_\_\_, (state) \_\_\_\_\_. (zip) \_\_\_\_\_ - \_\_\_\_\_
- D. The Petitioners place employment (street) \_\_\_\_\_  
(city) \_\_\_\_\_, (state) \_\_\_\_\_ (zip) \_\_\_\_\_ - \_\_\_\_\_
- E. Other places (street/apt) \_\_\_\_\_  
(city) \_\_\_\_\_, (state) \_\_\_\_\_ (zip) \_\_\_\_\_ - \_\_\_\_\_  
(street/apt) \_\_\_\_\_  
(city) \_\_\_\_\_, (state) \_\_\_\_\_ (zip) \_\_\_\_\_ - \_\_\_\_\_  
(street/apt) \_\_\_\_\_  
(city) \_\_\_\_\_, (state) \_\_\_\_\_ (zip) \_\_\_\_\_ - \_\_\_\_\_

- 5) That the Respondent be restrained from contact with the Petitioner or other protected persons, by any direct or indirect means except as authorized by a court order.
- 6) To Order other relief which I believe is necessary for my protection: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(If you are requesting an immediate temporary protection order without notice to the person you want restrained and without an opportunity for the person to appear; you must state why you believe you will suffer immediate and irreparable injury or damage if you 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.

In addition to what I have requested in sections 1-5 above, I further request that the Court grant me an immediate Temporary Protection Order Restraining Respondent from Stalking based upon the following sworn statements and beliefs:

The reasons I need this order immediately and cannot wait until the scheduled hearing are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I believe that I will suffer immediate and irreparable injury, loss or damage if I am not granted an immediate Temporary Protection Order without notifying the Respondent and his/her attorney or giving the other party an opportunity to be heard.

The immediate and irreparable injury, loss or damage which I believe I will suffer is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 I am 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.

\_\_\_\_\_  
Petitioner

Signed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

(SEAL)

\_\_\_\_\_  
Notary Public/Deputy Clerk of Courts  
Commission Expires: