State of Alabama Unified Judicial System Form C-2 (Page 1 of 5) Rev. 1/2016	**PETITION FOR PROTECTION FROM ABUSE**	Case Number DR-2017-107

IN THE CIRCUIT COURT OF Escambia (Name of County) **COUNTY, ALABAMA**

☐ Tina M. Canterbury v. Stephen D. Nodine
Plaintiff (victim) Defendant (person to be restrained)

☐ _____ filing on behalf of _____
Plaintiff Victim

123 Bent Arrow Drive
Defendant's Address (Business or Home)

Jupiter FL 33458
City State Zip Code

07-11-1963
Defendant's Date of Birth

_____
Defendant's Social Security Number

Section 30-5-5(f)(1), of Ala. Code 1975 provides "[t]he following information shall not be contained on any court document made available to the public and the defendant by the circuit clerk's office: The plaintiff's home address and, if applicable, business address; a plaintiff's home telephone number and, if applicable, business telephone number; the home or business address or telephone number of any member of the plaintiff's family or household; or an address thatwould reveal the confidential location of a shelter for victims of domestic violence as defined in Section 30-6-1."

FILED
OCT 19 2017
John Robert Fountain, Circuit Clerk
Escambia County, Alabama

YOU MUST PROVIDE COMPLETE AND TRUTHFUL INFORMATION. IF YOU DO NOT, THE COURT MAY DISMISS THIS CASE, AND YOU MAY BE SUBJECT TO BEING CHARGED WITH PERJURY FOR KNOWINGLY PROVIDING FALSE INFORMATION.

I. ELIGIBLE PLAINTIFFS (CHECK ALL THAT APPLY):
(Note: The word, "Plaintiff," is used in this block to describe the victim and/or the person(s) filing on behalf of the victim):

☑ I am 18 years of age or older and am a victim of abuse or have reasonable cause to believe I am in imminent danger of becoming the victim of any act of abuse.
☐ I am ☐ a parent; or ☐ a legal guardian; or ☐ next friend; or ☐ the State Department of Human Resources seeking protection from domestic violence on behalf of the victim who is: ☐ a minor child; or ☐ a person prevented by physical or mental incapacity from seeking a protection order.

☐ I am under 18 years of age, emancipated, and am a victim of abuse or have reasonable cause to believe I am in imminent danger of becoming the victim of any act of abuse.

CHECK THE BOXES WHICH ARE APPLICABLE:

☐ 1. The Defendant is the victim's ☐ spouse; or ☐ former spouse; or ☐ the Defendant is in or had a common-law marriage with the victim.
Date of Marriage: _____. Date of Divorce (if applicable): _____.

☑ 2. The Defendant and the victim has or had a dating relationship (A dating relationship means a significant relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement over a period of time and on a continuing basis during the course of the relationship; includes the period of engagement to be married; and does not include a casual or business relationship or a relationship that ended more than 12 months prior to the filing of the petition for a protection order).

☐ 3. The Defendant is a current or former household member of the victim (A household member is a person maintaining or having maintained a living arrangement with the Defendant where he/she is in, or was engaged in, a romantic or sexual relationship).

☐ 4. The Defendant and the victim have a child in common regardless of whether the victim and Defendant have ever been married and regardless whether they are currently residing or have in the past resided together in the same household.

☐ 5. The victim is a relative of a current or former household member who also lived with the Defendant.

☐ 6. The victim is an individual who is a parent, stepparent, child, or stepchild who is in or has maintained a living arrangement with the Defendant.

☐ 7. The victim is related by marriage, including a common law marriage, to the Defendant.

(NOTE: The word "Plaintiff" in the remainder of this form refers to the victim for whom protection is being sought.)

I state that the following is true and correct:

The Plaintiff is a resident of Escambia (Name of County) in Alabama (Name of State). The Plaintiff's age is 46 years old.

Is the Plaintiff involved in any other civil, domestic relations, child support, or juvenile case (for example, divorce, paternity or custody) with the Defendant? ☐ YES ☑ NO

If YES, please state the County and State in which the case was brought: _____ County, _____(State).

Are there any criminal charges against the Defendant because of abuse to the Plaintiff? ☐ YES ☑ NO
If YES, the charges were brought in _____County, _____(State).

(Note: If there are more civil or other cases with the Defendant or more criminal charges against the Defendant, please attach additional 8" x11" sheets of paper, if necessary, stating the case number(s), County(ies), and States(s) in which these cases are being handled).

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant

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(Check the box if the following statement applies to the Plaintiff):

☐ The Plaintiff left his or her residence to avoid further abuse or threat of abuse, and the Plaintiff is temporarily located in _____ County, Alabama.

☐ The Defendant lives in _____ County, _____ (State).

☐ The abuse occurred in Escambia County, Alabama.

☐ The Defendant is 54 years old.

☑ I am requesting ☑ a protection order; ☐ a change in a current protection order; ☐ an emergency order; ☐ a change in an emergency order.

II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following (Check all that apply):

☐ Threatened to confine the Plaintiff
☑ Made the Plaintiff afraid that the Plaintiff would be seriously injured Made the
☐ Plaintiff have sex by force or threat of force
☐ Kidnapped the Plaintiff or his or her child(ren)
☐ Trespassed on the Plaintiff's property
☐ Tortured or willfully abused the Plaintiff's child(ren)
☐ Stole from the Plaintiff
☐ Recklessly engaged in conduct which risked serious injury to the Plaintiff
☐ Tortured or willfully abused the Plaintiff's child(ren) multiple times
☐ Exposed the Plaintiff's child(ren) to drugs
☐ Injured the Plaintiff
☐ Tried to do one or more of the acts in this section
☐ Threatened to injure/hurt the Plaintiff
☑ Stalked the Plaintiff
☐ Set fire to the Plaintiff's house
☐ Restrained the Plaintiff
☐ Other (please specify): _____

III. Explain the Abuse That Has Happened (Begin With the Most Recent Act. You May Add Additional 8" x 11" Sheets of Paper, If Necessary):

Date and place where the abuse occurred:
Atmore AL 10/17/17 - Defendant texted me on several different occasions to let me know "Im in Atmore

Describe how the Defendant hurt or threatened the Plaintiff or how the Plaintiff is in imminent danger of becoming a victim:
after Contacting several of my friends disparaging me. He has in the past been accused of murder of his ex-girlfriend Angel Downs I am fearful of

I genuinely fear the Defendant will cause further abuse because:
What he can do.

(NOTE: If a parent, legal guardian, or next friend is seeking a protection order on behalf of a minor child who is living at home, the parent, legal guardian, or next friend must have been an eyewitness to, or have direct evidence or affidavits of eyewitnesses of, the specific facts and circumstances that form the basis upon which the relief is sought, OR have reasonable cause to believe that the minor child is a victim of abuse to form the basis upon which relief is sought, if the party against whom the protection order is sought is also a parent, stepparent, or legal guardian of the minor child.)

IV. Legal Information Required (Check all that apply):

There is a current restraining or protection order against the Defendant:

☐ YES; ☑ I don't know; ☐ NO. If YES, the County and State where it was issued: _____ County, _____ (State).

The Defendant has a current restraining or protection order against the Plaintiff:

☐ YES; ☑ No. If YES, the County and State where it was issued: _____ County, _____ (State).

(Note: If there are more current restraining or protection orders against the Defendant or against the Plaintiff, please attach additional 8" x 11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these Orders were issued).

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V. Child(ren)

A. The name(s) and age(s) of any child(ren) of the Defendant and the Plaintiff, who are under 19 years old.

Name:_____ Age:_____.

Name:_____ Age:_____.

Name:_____ Age:_____.

Name:_____ Age:_____.

B. Is there a custody order concerning any of the above children? ☐ YES ☐ NO

C. For the last six months, the child(ren) (has) have lived (in what State with whom):

Child:_____ Lived with:_____ State:_____.
Child:_____ Lived with:_____ State:_____.
Child:_____ Lived with:_____ State:_____.
Child:_____ Lived with:_____ State:_____.

VI. Residence

THE DEFENDANT MAY BE REQUIRED TO MOVE FROM THE PLAINTIFF'S RESIDENCE IF THE RESIDENCE IS IN THE SOLE NAME OF THE PLAINTIFF, IF IT IS JOINTLY OWNED OR RENTED BY THE PLAINTIFF AND THE DEFENDANT, OR IF THE PARTIES ARE MARRIED TO EACH OTHER.

The place where the Plaintiff lives is: **Owned by:** ☐ the Plaintiff; or ☐ the Defendant; or ☐ both the Plaintiff and the Defendant.

Rented by: ☑ the Plaintiff; or ☐ the Defendant; or ☐ both the Plaintiff and the Defendant.

The Plaintiff must notify the Court of any change(s) in address.

VII. Ex Parte Relief Requested (Please Check the Boxes To Show What is Requested):

I am asking the Court for the following for myself and/or the person(s) for whom I am applying:

☑ (1) Enjoin the Defendant from threatening to commit or committing acts of abuse, as defined in the Protection from Abuse Act, against the ☑ Plaintiff; and/or ☐ child(ren) of the Plaintiff; and/or ☐ any designated person to wit:_____.

☑ (2) Restrain and enjoin the Defendant from:

☑ Annoying; ☐ Harassing; ☑ Stalking; ☐ Threatening;
☑ Engaging in conduct that would place the following in reasonable fear of bodily injury:

☑ The Plaintiff; and/or ☐ Any designated person, to wit:
☐ Minor(s); and/or _____
☐ Child(ren) of the Plaintiff; and/or _____.

Or ☑ restrain and enjoin the Defendant from contacting ☑ the Plaintiff and/or ☐ children of the Plaintiff

* "Contacting" includes, but is not limited to, communicating with the victim verbally or in any written form, either in person, telephonically, electronically, or in any other manner, either directly or indirectly through a third person.

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant

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☑ (3) Restrain and enjoin the Defendant from having physical or violent contact with ☑ the Plaintiff or the Plaintiff's ☑ property; ☑ place of employment; ☐ school; and/or ☐ the child(ren)'s ☑ residence; ☐ place of employment; ☐ school; and/or any other designated person's [to wit: _____] ☐ residence; ☐ place of employment; ☐ school or, ☐ order the Defendant to stay away from any specified place, which the court determines the Defendant has no legitimate reason to frequent, as designated below, frequented by ☐ the Plaintiff, and/or ☐ child(ren); and or ☐ any designated person. Name(s) and location(s) of the other specified place(s): _____. ☐ The Defendant shall not go within _____ feet (a minimum of 300 feet) of the Plaintiff's residence even if the residence is shared with the Plaintiff.

☐ (4) Award temporary custody of the child(ren) to _____.
(Please specify the name of the person to whom custody should by given)

☐ (5) Enjoin the Defendant from interfering with the Plaintiff's efforts to remove any of the Plaintiff's child(ren) or from removing any children from the jurisdiction of the court and ☐ direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove any of the Plaintiff's child(ren) as necessary to protect the Plaintiff or any children from abuse or child abuse.

☐ (6) Enjoin the Defendant from removing any child(ren) from _____ [the individual having legal custody of the child(ren)], except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdiction.

☐ (7) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.

☐ (8) Order possession and use of an ☐ automobile; and/or ☐ other essential personal effects regardless of ownership, and direct the appropriate law enforcement officer to accompany the Plaintiff to the residence of the parties or to other specified locations as necessary to protect the Plaintiff or any children from abuse.

☐ (9) Prohibit the Defendant from ☐ transferring; ☐ concealing; ☐ encumbering; or ☐ otherwise disposing of specified property mutually owned or leased by the parties, _____. (Please describe property) _____.

☑ (10) Order other relief deemed necessary to provide for the safety and welfare of the ☑ Plaintiff: and/or ☐ any child(ren); and/or ☐ any designated person as follows: _____.

VIII. Additional relief requested for final hearing (permanent order):

In addition to the relief requested above in "VII. Ex Parte Relief Requested," I request the following relief for myself and/or the person(s) for whom I am applying:

☐ (11) Order the Defendant to comply with the following visitation arrangements of any child(ren):

☐ Visitation; ☐ Deny visitation; ☐ Require supervision by a third party

(Please specify visitation arrangements of any child(ren) below giving primary consideration to the safety of the Plaintiff or any child(ren) or both):

_____.

☑ (12) Order the Defendant to pay attorney's fees and court costs.

☐ (13) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by ☐ evicting the Defendant; ☐ restoring possessions to the Plaintiff, or ☐ both; or ☐ agreeing to allow the Defendant to provide suitable alternate housing.

☐ (14) Order the Defendant to pay temporary reasonable child support for the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must Attach COMPLETED copies of Form CS-41, Child Support Obligation Income Statement/Affidavit, Form CS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

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☐ (15) Order the Defendant to provide temporary possession of the vehicle (description): _____ to the Plaintiff because the Plaintiff has no other means of transportation of his or her own and the Defendant ☐ has control of more than one vehicle; or ☐ has alternate means of transportation.

☐ (16) Incorporate another ☐ custody order (Case Number, County, State: _____); or ☐ visitation order (Case Number, County, State: _____); and/or ☐ support order (Case Number, County, State: _____) into this Order.

☐ (17) Order the Defendant to surrender all firearms.

☐ (18) Direct the appropriate law enforcement office to accompany the Plaintiff to ☐ the residence of the parties; and/or another location, _____ (description of location), as necessary to enforce any of the terms of this Order.

☐ (19) Order other relief not requested above (describe): _____

_____.

Before me, the undersigned authority, personally appeared the Plaintiff, who is known to me or presented an identification card to me, and who being duly sworn, deposes and says that he/she has read the foregoing Petition for Protection from Abuse and that the facts herein are true and correct.

Sworn to and subscribed before this, the 19th day of October, 2017.

Tina Michelle Canterbury
Plaintiff (Please print)

Tina Michelle Canterbury
Plaintiff (Signature)

Justin Johnson
Judge/Clerk of Court/Notary Public
(Notary: My commission expires 1/23/19).

_____

_____

_____
Business Address and Telephone Number of Judge/Clerk of Court/Notary Public

NOTICE TO DEFENDANT

The Defendant is advised that (1) he or she has the right to counsel at his or her own expense at the final hearing on this Petition but not counsel appointed by the court; and (2) he or she has a right to request a final hearing prior to 10 days of perfection of Service of this Petition.

Original-Court Record Copy- Law Enforcement Copy-Plaintiff Copy-Defendant

EX PARTE PROTECTION ORDER
(Protection from Abuse Act)
§ 30-5-1, et seq., Ala. Code 1975

☐ Amended Order
For Cases Filed on or After January 1, 2016

State of Alabama Unified Judicial System Form C-4 (Page 1 of 3) Rev. 1/2016

Case No. DR-2017-107

In the Circuit Court of Escambia County, Alabama

PLAINTIFF (Victim)

Tina Michelle Canterbury
First Middle Last

07-12-1971
Date of Birth (DOB) of Plaintiff (Victim)

and any minor(s) on whose behalf the Petition for Protection from Abuse was filed [List Name(s) and DOB(s)]:

Other Protected Persons(s) [List Name(s) and DOB(s)]:

V.

DEFENDANT

Stephen Daniel Nadine
First Middle Last

Relationship to Victim: ☐ Spouse ☐ Former-Spouse
☐ Common-Law Marriage ☐ Former Common-Law Marriage
☐ Child in Common
☑ Current or Former Dating Relationship
☐ Current or Former Household Member
☐ Relative of Current or Former Household Member:
☐ Parent ☐ Stepparent
☐ Child ☐ Stepchild

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
M	W	7-11-63	6'2	240

EYES	HAIR	DISTINGUISHING FEATURES
Blue	White	

DRIVER'S LICENSE #	STATE	EXP. DATE

VEHICLE	TAG#
Chery Truck 2 door	

Defendant's Home Address & Telephone #: 123 Bent Arrow Drive
Jupiter, FL 33458

CAUTION: WEAPONS INVOLVED: ☐ Firearm ☐ Knife ☐ Hands, Feet, Fist ☐ Other:_____
☐ Weapon Present on the Property

THE COURT HEREBY FINDS (Check all that apply):
Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and matter under the law of the State and the Defendant is being provided with sufficient notice, including notice of his right to request a hearing within 10 days of service, in order to protect his or her rights to due process.

☐ A temporary order is necessary to prevent abuse.
☐ The Defendant represents a credible threat to the physical safety of the: ☐ Plaintiff; and/or ☐ child(ren); and/or ☐ any designated person to wit:_____

THE COURT HEREBY ORDERS (Check all that apply):
☐ That the above-named Defendant be enjoined from threatening to commit or committing acts of abuse as defined in the Protection from Abuse Act.
☐ That the above-named Defendant be restrained from any contact with the ☐ Plaintiff, and/or ☐ child(ren): and/or ☐ any designated person, to wit:_____
☐ _____ Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until _____, _____; or ☐ further order of the Court. **THIS ORDER IS VALID AND ENFORCEABLE IN ALL COUNTIES IN THE STATE OF ALABAMA. LAW ENFORCEMENT OFFICERS MAY USE THEIR ARREST POWERS PURSUANT TO SECTION 15-10-3 TO ENFORCE THE TERMS OF THE INJUNCTION.**

NOTICE TO LAW ENFORCEMENT

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any state, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265).

WARNINGS TO DEFENDANT:

This Order shall be enforced, even without registration, by the courts and any law enforcement officer of any State, the District of Columbia, and any U. S. territory, and may be enforced by Tribal Lands (18 U.S.C.A. Section 2265). Crossing state, territorial or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. Section 13A-11-72(a) provides that it is a Class C felony for a person convicted in the State of Alabama or elsewhere of a misdemeanor offense of domestic violence or subject to a valid protection order for domestic abuse to own a firearm or have one in his or her possession or under his or her control. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A violation of this ORDER is a Class A misdemeanor. Section 13A-6-142, Ala. Code 1975. The Defendant is notified the he or she has a right to request a final hearing prior to 10 days of perfection of service of the Petition for Protection from Abuse.

ONLY THE COURT CAN CHANGE THIS ORDER

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant

Judge's Initials: _____

EX PARTE PROTECTION ORDER
(Protection from Abuse Act)
§ 30-5-1, et seq., Ala. Code 1975

☐ Amended Order

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Case No. DR-2017-107

In the Circuit Court of Escambia County, Alabama

THE COURT FURTHER ORDERS THAT (Check all that apply):

☐ (1) The Defendant is enjoined from threatening to commit, or committing acts of abuse, as defined in the Protection from Abuse Act, against the: ☐ Plaintiff, and/or ☐ child(ren) of the Plaintiff; and/or ☐ any designated person, to wit: _____.

☐ (2) The Defendant is restrained and enjoined from ☐ harassing, ☐ stalking, ☐ annoying, ☐ threatening or ☐ engaging in conduct that would place the following in reasonable fear of bodily injury, the: ☐ Plaintiff; and/or ☐ child(ren) of the Plaintiff ; and/or ☐ any designated person, to-wit: _____ or from ☐ contacting ☐ the Plaintiff and/or ☐ children of the Plaintiff. .

☐ (3) The Defendant is restrained and enjoined from having physical or violent contact with: ☐ the Plaintiff or the Plantiff's ☐ property; ☐ place of employment; ☐ school; and/or ☐ the child(ren)'s: ☐ residence; ☐ place of employment; ☐ school; and/or ☐ any designated person's , to-wit: _____; ☐ residence; ☐ place of employment; ☐ school.

The Defendant is ordered to stay away from ☐ any specified place, as designated below which the court determines the Defendant has no legitimate reason to frequent, frequented by ☐ the Plaintiff ; ☐ child(ren); and/or ☐ any designated person.
Name(s) and location(s) of the other specified place(s): _____.

The Defendant is ordered to not go within _____ feet (minimum of 300 feet) of ☐ the Plaintiff's ☐ residence (even if the residence is shared with the Plaintiff); ☐ school; and/or ☐ place of employment; and/or ☐ the child(ren)'s ☐ school; and/or ☐ place of employment; any designated person's, to-wit: _____ ☐ school and/or ☐ place of employment.

☐ (4) Temporary custody of the child(ren) of the parties is hereby awarded to: _____.

☐ (5)The Defendant is enjoined from interfering with the Plaintiff's efforts to remove any of the Plaintiff's child(ren) or from removing any children from the jurisdiction of the court. I direct the appropriate law enforcement officer to accompany the Plaintiff during this effort.

☐ (6) The Defendant is enjoined from removing any child(ren) from the individual, to wit: _____, having legal custody of the child(ren), except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdic-tion.

☐ (7) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.

☐ (8) The possession and use of the automobile, _____, is awarded to _____ and other essential personal effects,
(Description, year, make)
_____
(Please specify)
are awarded to _____.
The appropriate law enforcement officer shall accompany the Plaintiff to ☐ the residence of the parties and/or ☐ other specified locations, to-wit: _____ as necessary to protect the Plaintiff or any child(ren) from abuse.

☐ (9) The Defendant is prohibited from: ☐ transferring; ☐ concealing; ☐ encumbering; or ☐ otherwise disposing of specified property mutually owned or leased by the parties, as follows : _____.

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant

Judge's Initials: _____

EX PARTE PROTECTION ORDER
(Protection from Abuse Act)
§ 30-5-1, et seq., Ala. Code 1975

☐ Amended Order

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Case No. DR-2017-107

In The Circuit Court of Escambia County, Alabama

☐ (10) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the: ☐ Plaintiff; and/or ☐ any child(ren); and/or ☐ any designated person, as follows:

_____.

_____.

☐ (11) Other (please specify)_____

_____.

This matter is set for a final hearing on _____ (date) at _____(time) to be held at _____(place).

The Defendant is advised that he or she has the right to counsel at this final hearing at his or her expense, but not counsel appointed by the court.

_____ _____
Date Judge

RETURN ON SERVICE

Return receipt of certified mail received in this office on _____.
(Date)

I certify that I personally delivered a copy of the Ex Parte Protection Order to_____

in _____ County, Alabama on _____.
(Date)

_____ _____
Date Server's Signature

_____ _____
Type of Process Server Office Address of Server

_____
Office Telephone Number of Server

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant