

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,  
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

Rae  
Daria Berenato X  
Petitioner,

Case No.: 20-10164  
Division: \_\_\_\_\_

and  
Phillip Thomas X  
Respondent.

CLERK OF THE  
CIRCUIT COURT  
JAMES T. ALLEN  
COURTS

**PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING**

I, {full legal name} Daria Rae Berenato, being sworn, certify that the following statements are true:

**SECTION I. PETITIONER**

(This section is about you. It must be completed; however, if you require that your address be confidential for safety reasons, you should complete and file a Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write confidential in the space provided on this form for your address and telephone number.)

1. Petitioner resides at the following address: {address, city, state, zip code} \_\_\_\_\_

{Indicate if applicable}

\_\_\_\_\_ Petitioner seeks an injunction for protection on behalf of a minor child. Petitioner is the parent or legal guardian of {full legal name} \_\_\_\_\_ a minor child who is living at home.

2. Petitioner's attorney's name, address, and telephone number is: \_\_\_\_\_

(If you do not have an attorney, write "none.")

**SECTION II. RESPONDENT**

(This section is about the person you want to be protected from. It must be completed.)

1. Respondent resides at the following address: {provide last known street address, city, state, and zip code} X Un Known

2. Respondent's last known place of employment: Apple bees  
 Employment address: Unknown / South Carolina?  
 Working hours of Respondent: Unknown
3. Physical description of Respondent:  
 Race: White/His Sex: Male  Female \_\_\_\_\_ Date of Birth: 02/09/1996  
 Height: \_\_\_\_\_ Weight: 200 Eye Color: Brown Hair Color: Brown  
 Distinguishing marks and/or scars: \_\_\_\_\_  
 Vehicle: (make/model) \_\_\_\_\_ Color: green Tag Number (if known) \_\_\_\_\_
4. Other names Respondent goes by (aliases or nicknames): Instagram - phoillip 3585  
possibly - Instagram (timmyers) 55
5. Respondent's attorney's name, address, and telephone number is: \_\_\_\_\_  
 (If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")

**SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)**

1. Has Petitioner ever received or tried to get an injunction for protection against stalking against Respondent in this or any other court?  
 \_\_\_ Yes  No If yes, what happened in that case? {Include case number, if known}  
 \_\_\_\_\_
2. Has Respondent ever received or tried to get an injunction for protection against stalking against Petitioner in this or any other court?  
 \_\_\_ Yes  No If yes, what happened in that case? {Include case number, if known} \_\_\_\_\_
3. Describe any other court case that is either going on now or that happened in the past between Petitioner and Respondent {Include case number, if known}:  
20 - CF - 009440 - A
4. Petitioner is a victim of stalking because Respondent has: {please mark all sections that apply}  
 a.  Committed stalking;  
 b.  Previously threatened, harassed, stalked, cyberstalked, or physically abused the Petitioner;  
 c.  Threatened to harm Petitioner or family members or individuals closely associated with Petitioner;  
 d. \_\_\_ Intentionally injured or killed a family pet;  
 e.  Used, or threatened to use, against Petitioner any weapons such as guns or knives;  
 f. \_\_\_ A criminal history involving violence or the threat of violence, if known;

- g. \_\_\_ Another order of protection issued against him or her previously from another jurisdiction, if known;
- h.  Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to Petitioner.

5. Below is a description of the specific incidents of stalking or cyberstalking: *{for cyberstalking, please include a description of all evidence of contacts and/or threats made by Respondent in voice messages, texts, emails, or other electronic communication}*

On {dates} 8/16/20 the following incidents of stalking occurred at the following locations: *{the locations may include, but need not be limited to, a home, school, or place of employment}*

I went to bed at around 1:15 am at 2:41 am  
my house alarm went off. I ran to the keypad  
by my garage to disarm the system, the system  
stated that the family room door was open. I  
wake up my friend and I ran to the living room  
to make sure the doors were secure. As I was  
ensuring the sliding glass door lock was secure, I  
looked up and on my back I saw Phillip


\_\_\_ Please indicate here if you are attaching additional pages to continue these facts.

6. **Additional Information**

\_\_\_ Respondent owns, has, and/or is known to have guns or other weapons.  
 Describe weapon(s) and where they may be located, if known: \_\_\_\_\_

**SECTION IV. INJUNCTION** *{This section must be completed}*

1. Petitioner asks the Court to enter a **TEMPORARY INJUNCTION** for protection against stalking that will be in place from now until the scheduled hearing in this matter, which will immediately restrain Respondent from committing any acts of stalking, and which will provide any terms the Court deems necessary for the protection of a victim of stalking, including any injunctions or directives to law enforcement agencies.
2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a **FINAL JUDGMENT** for protection against stalking prohibiting Respondent from committing any acts of stalking against Petitioner and:
  - a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives, or to any specified place regularly frequented by Petitioner and any named family members or individuals closely associated with Petitioner; \_\_\_\_\_
  - b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or \_\_\_\_\_

standing maybe 4 feet away staring at me. I began screaming "What are you doing, what do you want?" He began walking towards the door I was at, that is when I realized this person was not here to rob me, he was there to hurt me. I ran to my friend's room screamed "there's a man in the house we have to go!" I grabbed my car keys opened my garage and sped off. After watching video footage from my ADT system I saw that he followed me inside right behind me, but he thought I ran up the stairs leaving me and my friend just enough time to escape. After learning Phillips name I typed it into my Instagram to see if he had ever messaged me because he told the cops that we "faked". I discovered hundreds of messages from his account to me, none of which did I respond to. The nature of the messages from this account were obsessive, suicidal, idolizing, saying quote "You are the only person I will ever love" Dating back to March of 2019. I then discovered another account who seemed to use similar grammar to Phillips, this account has no profile photo and was disturbingly threatening. I then read the latest message from this secondary account which stated at 12:12am on August 16, 2020 "Look outside baby, by your pool I'm here" "I'm gonna kill that little bitch you have inside with you" 

Petitioner/Respondents Signature

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**USE BLACK INK ONLY**

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I went back through those messages which dated back to July 05, 2020. First message stating "I found your home address [REDACTED], I want you me and your father to have sex at the same time"

"Answer my message or you'll regret it in the future I promise you that" "I'll have everyone of your ex girlfriends beat them up in front of you" "If you don't respond I will deliver blondesquad's head to your fucking doorstep" (my ex's)

"Or maybe I'll go after the person most precious to you your niece"

"I'll kill your sisters"

Also he sent a photo of his penis, saying "I will not stop until my dick goes balls deep in every one of your holes." These go on and on more of the same vulgar, threatening nature.

I am a public figure with a social media following of almost 1 million so all his messages were in my "request" folder which is filled with thousands of messages from people I do not follow. The cops made me aware that he admitted to kidnapping my kid napping for 8 months.

Petitioner/Respondents Signature

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school is: \_\_\_\_\_

c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;

d. ordering Respondent that he or she shall not have in his or her care, custody, possession, or control any firearm or ammunition;

e. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied;

3. Petitioner asks the Court to enter any other terms it deems necessary to protect Petitioner from stalking by Respondent.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER THE RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Dated: 8/17/20 *[Signature]*

*[Signature]*  
Signature of Petitioner  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Designated E-Mail Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF Hillsborough

Sworn to or affirmed and signed before me on 8/17/20 by \_\_\_\_\_

*[Signature]*  
NOTARY PUBLIC or DEPUTY CLERK

Ebony McClendon  
{Print, type, or stamp commissioned name of notary or clerk.}



Personally known  
 Produced identification  
Type of identification produced FLDL