

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

FILED
9-16-11 4:52 PM
MICHAEL K. JEANES, Clerk
By <u>E. [Signature]</u>
Deputy
For Clerk's Use Only

Richard Reiss
Name of Petitioner

Case Number: FC 2011-093719

Desiree Reiss (Capuano)
Name of Respondent

TEMPORARY ORDER WITHOUT NOTICE
FOR CHILD CUSTODY (PRE-DECREE)

☐ Other: _____

THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ CAREFULLY.
IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

THE COURT FINDS:

1. INFORMATION ABOUT PETITIONS.

A "Petition" for "Dissolution of Marriage", "Legal Separation", "Paternity with Custody / Parenting Time" or "Custody/Parenting Time" where paternity already established, was filed on this date by this person:

_____ by _____

A "Motion for Temporary Orders With Notice" was filed on this date by this person:

_____ by _____

Or ☐ A "Motion for Temporary Orders With Notice" has not been filed.

A "Motion for Temporary Orders Without Notice" was filed on this date and by this person:

_____ by _____

The Court read the Motion, took testimony if relevant, considered all matters and issues a temporary order without notice.

2. EMERGENCY SITUATION. The court has found that an emergency exists and this order must be entered immediately to avoid irreparable harm because:

- ☐ Someone is about to cause serious bodily harm to another person immediately, OR
☒ The health, safety, and welfare of a person is otherwise in serious and immediate jeopardy as follows (describe):

Mr. Reiss has threatened to take the child to California pursuant to an order issued there in 2002, the current validity of which is unclear and which he has never complied with in any event. He has absconded with the child previously. He is not a US citizen, and he may not have legal status in the United States.

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3. BEST INTEREST OF THE MINOR CHILDREN. This order is made in the best interest of the Minor children whose names and dates of birth (month/day/year) are listed below:

Name <u>Gabriel Riess</u>	Date of Birth <u>9.27.2000</u>
Name _____	Date of Birth _____
Name _____	Date of Birth _____
Name _____	Date of Birth _____
Name _____	Date of Birth _____

THE COURT ORDERS:

1. ☒ **TEMPORARY CHILD CUSTODY WITHOUT NOTICE** is awarded

To: Desiree Tomlin Riess as follows:

(now known as Desiree Capuano) in
will have temporary sole custody
of the minor child Gabriel.

2. ☐ **OTHER TEMPORARY ORDERS WITHOUT NOTICE:** _____

3. ☒ **THIS ORDER SHALL CONTINUE** until: (date) 9.26.11 unless extended by the court, or by agreement between the parties in writing and filed with this court.

4. ☒ **SERVICE AND NOTICE TO THE OTHER PARTY:**

The person who requested this Order shall personally serve or give actual notice to the other party by serving a copy of this Order.

5. ☐ **BOND** in the amount of \$ _____ shall be posted with the Clerk of the Court no later than this date: _____ and this time: _____ as security for the payment of costs and damages that may be incurred or suffered by any party as a result of this Order should it be determined the basis of this Order was false or without merit. Bond shall be posted by: (Name(s)) _____

6. ☐ **TEMPORARY ORDERS WITH NOTICE**

The person who requested this Order shall personally file a **Motion for Pre-Decree Temporary Orders WITH Notice** on or before this date _____ or as follows: _____

DONE IN OPEN COURT: Sept. 16, 2011

(Date)

[Signature]
JUDGE/COMMISSIONER