

Read *Can a Civil Harassment Restraining Order Help Me?* (Form CH-100-INFO) before completing this form. Also fill out Confidential CLETS Information (Form CLETS-001), with as much information as you know.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
Los Angeles

Court fills in case number when form is filed.

Case Number:
ts015675

1 Person Seeking Protection

a. Your Full Name: Richard Riess Age: 38

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.):

Address: 406 1/2 E. Lincoln St.

City: Carson State: CA Zip: 90745

Telephone: 310-518-0104 Fax: _____

E-Mail Address: richardriess@gmail.com

2 Person From Whom Protection Is Sought

Full Name: Kristopher Michael Lauchner Age: 37

Address (if known): 9153 N. 84th Dr.

City: Peoria State: AZ Zip: 85345

3 Additional Protected Persons

a. Are you asking for protection for any other family or household members? ☒ Yes ☐ No If yes, list them:

Full Name	Sex	Age	Lives with you?	How are they related to you?
<u>Gabriel Riess</u>	<u>M</u>	<u>11</u>	☒ Yes ☐ No	<u>Minor child</u>
_____	_____	_____	☐ Yes ☐ No	_____
_____	_____	_____	☐ Yes ☐ No	_____
_____	_____	_____	☐ Yes ☐ No	_____

☐ Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use Form MC-025, Attachment.

b. Why do these people need protection? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.

I have sole physical custody of Gabriel. Gabriel spends almost 1/3 of the year visiting Desiree (his mother/my estranged wife) in Arizona. Based on Respondent's violent criminal history, I believe Respondent will attempt to harm or otherwise endanger Gabriel while he is in Arizona.

This is not a Court Order.

4 Relationship of Parties

How do you know the person in ②? (Explain below):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 4—Relationship of Parties" for a title.

Respondent is the boyfriend of Desiree (my estranged wife and mother of Gabriel).

5 Venue

Why are you filing in this county? (Check all that apply):

- a. ☐ The person in ② lives in this county.
 b. ☒ I was harassed by the person in ② in this county.
 c. ☐ Other (specify): _____

6 Other Court Cases

- a. Have you or any of the persons named in ③ been involved in another court case with the person in ②?

☒ No ☐ Yes If yes, check each kind of case and indicate where and when each was filed:

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	☐ Civil Harassment	_____	_____	_____
(2)	☐ Domestic Violence	_____	_____	_____
(3)	☐ Divorce, Nullity, Legal Separation	_____	_____	_____
(4)	☐ Paternity, Parentage, Child Custody	_____	_____	_____
(5)	☐ Elder or Dependent Adult Abuse	_____	_____	_____
(6)	☐ Eviction	_____	_____	_____
(7)	☐ Guardianship	_____	_____	_____
(8)	☐ Workplace Violence	_____	_____	_____
(9)	☐ Small Claims	_____	_____	_____
(10)	☐ Criminal	_____	_____	_____
(11)	☐ Other (specify): _____	_____	_____	_____

- b. Are there now any protective or restraining orders in effect relating to you or any of the persons in ③ and the person in ②? ☒ No ☐ Yes If yes, attach a copy if you have one.

7 Description of Harassment

Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act.

- a. Tell the court about the last time the person in ② harassed you.

(1) When did it happen? (provide date or estimated date): 1/17/12

(2) Who else was there?

This is not a Court Order.

(3) How did the person in (2) harass you? (Explain below):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.

I was attempting to communicate, via email, with Desiree regarding custody matters with Gabriel. After a few emails between Desiree and I, Respondent sent me an email stating "If you want me involved just mention my name one more time. I have resources you couldn't possibly imagine...but I wanted to give you one last warning before I get involved and cause as many headaches for you as you do Desiree". The full email message is attached hereto. My communication with Desiree was limited to custody and child support of Gabriel.

(4) Did the person in (2) use or threaten to use a gun or any other weapon?

- ☐ Yes ☒ No (If yes, explain below):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.

(5) Were you harmed or injured because of the harassment?

- ☐ Yes ☒ No (If yes, explain below):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.

(6) Did the police come? ☐ Yes ☒ No

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No

If yes, the order protects (check all that apply):

- a. ☐ Me b. ☐ The person in (2) c. ☐ The persons in (3)

Attach a copy of the order if you have one.

b. Has the person in (2) harassed you at other times?

- ☒ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7b—Previous Harassment" for a title.

On 11/9/11 I was attempting to coordinate with Desiree, Gabriel's return to my custody from her as ordered by the Court on 11/8/11. Respondent called me and in a violent manner told me that if I called Desiree again he would come to Los Angeles and "take care of me" himself. My communication with Desiree was limited to Gabriel's return and she was in violation of the Court's order by refusing to immediately return him.

This is not a Court Order.

Check the orders you want. ☒**8 ☒ Personal Conduct Orders**

I ask the court to order the person in **(2)** **not** to do any of the following things to me or to any person to be protected listed in **(3)**:

- a. ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☒ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- c. ☐ Other *specify*):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.

The person in **(2)** will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

9 ☒ Stay-Away Orders

- a. I ask the court to order the person in **(2)** to stay at least 100 yards away from (check all that apply):

(1) ☒ Me

(8) ☐ My vehicle

(2) ☒ The other persons listed in **(3)**

(9) ☐ Other (*specify*):

(3) ☒ My home

(4) ☒ My job or workplace

(5) ☐ My school

(6) ☒ My children's school

(7) ☐ My children's place of child care

- b. If the court orders the person in **(2)** to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☒ Yes ☐ No (If no, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.

10 Guns or Other Firearms and Ammunition

Does the person in **(2)** own or possess any guns or other firearms? ☒ Yes ☐ No ☐ I don't know

If the judge grants a protective order, the person in **(2)** will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in **(2)** will also be ordered to turn in to law enforcement or sell to a gun dealer any guns or firearms within his or her immediate possession or control.

This is not a Court Order.

11 Immediate Orders

Do you want the court to make any of these orders now that will last until the hearing without notice to the person in ②? ☒ Yes ☐ No (If you answered yes, explain why below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11—Immediate Orders" for a title.

I am required to have occasional contact with Desiree due to our pending custody and child support matters. Due to Respondent's repeated threats and his extensive violent criminal history (see attached) I cannot reasonably correspond with Desiree regarding legal matters without fear of being assaulted by Respondent.

12 ☐ Request to Give Less Than Five Days' Notice

You must have your papers personally served on the person in ② at least five days before the hearing, unless the court orders a shorter time for service. (Form CH-200-INFO explains What Is "Proof of Personal Service"? Form CH-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why below:

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12—Request to Give Less Than Five-Days Notice" for a title.

13 ☒ No Fee for Filing or Service

- a. ☒ There should be no filing fee because the person in ② has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.
- b. ☒ The sheriff or marshal should serve (notify) the person in ② about the orders for free because my request for orders is based on unlawful violence, a credible threat of violence, or stalking.
- c. ☐ There should be no filing fee and the sheriff or marshal should serve the person in ② for free because I am entitled to a fee waiver. (You must complete and file Form FW-001, Application for Waiver of Court Fees and Costs.)

14 ☐ Lawyer's Fees and Costs

I ask the court to order payment of my: a. ☐ Lawyer's fees b. ☐ Court costs

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

☐ Check here if there are more items. Put the items and amounts on the attached sheet of paper or Form MC-025 and write "Attachment 14—Lawyer's Fees and Costs" for a title.

This is not a Court Order.

