

Instructions for Temporary Extreme Risk Protection Order – Without Notice

This is the Temporary Protection Order. If signed by the judge, this order will:

- Tell the respondent to immediately surrender all firearms and any concealed pistol license; and
- Set the date for the next hearing (full hearing).

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent.

Please check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.

If you are expected to fill out the form, follow the instructions below.

Print Clearly Using Black or Blue Ink!

Page 1, top of the form

- You are the “Petitioner.”
 - If you are filing as a law enforcement agency, fill in the name of the police department or sheriff’s office for whom you work.
 - If you are filing for yourself, fill in your name (first, middle initial, last).
- The person against whom you are filing is the “Respondent.” Fill in the respondent's name (first, middle initial, last) and date of birth.

Next Hearing Date

The judge or court clerk will write in the next hearing date, time, and place on the first page of the order.

- You must attend this hearing to continue this order.
- If you do not come to this hearing, the petition will be dismissed and this temporary order will expire.
- If the respondent does not come to the hearing and has been served, the court may still grant a longer protection order.

Respondent’s Identifiers

- Describe the respondent’s physical appearance: sex/gender, race, hair color, height, weight, and eye color.
- List any of respondent’s distinguishing features, such as moles, scars, or tattoos.

Page 2, item 4

Write in the name of the law enforcement agency to which the respondent must deliver the concealed pistol license and firearms. It will usually be the police department or sheriff's office closest to the respondent's home or location of the firearms.

Page 2, "Respondent" below item 7

In the table, list any firearms that you know belong to or are in the possession of the respondent. If the respondent has a concealed pistol license, list it too. If you can identify more firearms than will fit in the table, attach a list of those firearms to this order.

Pages 2 and 3, list of check box items "a" through "p"

This is a list of the types of evidence that the court might find are reasons to believe that, in the near future, the respondent poses a significant danger of causing personal injury to himself, herself, or to others.

Check all the boxes that you think the court may find applicable based on the evidence you presented.

Page 3

Law Enforcement Data Entry

If granted by the court, the order will be entered into a state-wide and federal database used by law enforcement so any officer knows of it. Name the agency which has jurisdiction where respondent resides:

- If respondent's address is within city limits, name the city police.
- If respondent's address is outside of city limits, name the county sheriff.

Service of Court Documents

The respondent must know the allegations that you have made, when and where the hearing will be held, and if the court has ordered him or her to surrender firearms and a concealed pistol license. The respondent has a right to attend the hearing and defend against the allegations.

Copies of the petition and this order must be served on (personally delivered to) the respondent. You cannot deliver the copies to the respondent. A law enforcement officer can. Identify the police or sheriff agency where the respondent lives. The copies will be forwarded to that agency to serve on the respondent.

- If the respondent's service address is within city limits, name the city police.
- If the respondent's service address is outside of city limits, name the county sheriff.

You will need to provide an address where the respondent can be located for service. You will also need to provide a physical description of the respondent. To provide this information, complete the *Law Enforcement Information – Extreme Risk Protection Order (LEIS)*, form XR 105.

Sign the Form

The judge will fill in the date and time when the order is granted and sign his or her name.

Sign the bottom of the form where it says “Presented by” and “Petitioner.”