

Court of Washington, County of _____

Petitioner

DOB

vs.

Respondent

DOB

No.: _____

Motion for Surrender and Prohibition of Weapons (MT)

Motion for Surrender and Prohibition of Weapons

Use this motion to ask the court for a weapons order when:

- you did not ask the court for a weapons order as a part of your protection order or restraining order, or
- the final protection order or restraining order issued by the court did not include a weapons order.

1. I am protected by a civil protection restraining order issued on (date) _____ in this case:

2. I am asking the court to issue an Order to Surrender and Prohibit Weapons

The court must issue an *Order to Surrender and Prohibit Weapons* because the order of protection included provisions that the respondent:

- is **restrained** from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking, the protected person/s;
- had actual notice of the hearing and an opportunity to be heard; and
 - represented a credible threat to the physical safety of the protected person, intimate partner of the restrained person, or child; or
 - the protection/restraining order prohibits the use of physical force against and intimate partner, protected person, or child that would cause bodily injury.

The restrained person (name) _____: (check all that apply)

has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony. Describe this offense:

is ineligible to possess a firearm under the provisions of RCW 9.41.040. Describe this offense:

has possession of a firearm or other dangerous weapon which presents a serious and imminent threat to public health or safety, or to the health or safety of any individual. My concern for imminent threat is based on the following:

4. Information about the firearms or other dangerous weapon/s:

What kind of firearm or other dangerous weapon?	Where is it located?

5. The restrained person and I are:

Intimate partners because we are (*check all that apply*):

current or former spouses or domestic partners, parents of a child-in-common, age 13 or older and are/were in a dating relationship, and have have not lived together.

family or household members because we are (*check all that apply*):

current or former adult
cohabitants as roommates

adult in-laws

adults related by blood

parent and child

stepparent and stepchild

grandparent and grandchild

parent's intimate partner and child
guardian.

person who has been a legal

Does not apply.

6. I request that the court:

- Prohibit the restrained person from accessing, having in their custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.
- Require the restrained person to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070.
- Order temporary surrender of and prohibit the purchase of all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070 without notice to the restrained person because:
 - irreparable injury could result if an order is not issued until the time for response has elapsed.
 - restrained person's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed on: *(date)* _____ at *(city)* _____, Washington.

➤ _____
Signature of Protected Person/Attorney WSBA No. Print Name

Protected person or attorney, you must:

- **Schedule a hearing** on the Motion for Order to Surrender and Prohibit Weapons.
- **Arrange to serve notice** of the hearing on the other party.
- **File proof of service** in the court file prior to the hearing.