

IN THE COURT OF COMMON PLEAS

Delaware

COUNTY, OHIO

Order of Protection

Per R.C. 3113.31(F)(3), this Order is indexed at

Case No.

18 DVH 07 425

Judge/Magistrate

Fuller / ~~Fuller~~ Laughlin

State

OHIO

DCSO

LAW ENFORCEMENT AGENCY WHERE INDEXED

749 833 - 2800

PHONE NUMBER

**DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
(CPO) EX PARTE (R.C. 3113.31)**

PETITIONER:

Courtney C. Smith
First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner:

Courtney C. Smith

DOB:

03-03-1985

Petitioner's Family or Household Members:

(Additional forms attached.)

Cameron M. Smith

DOB:

02-02-2010

Quinn O. Smith

DOB:

03-23-2012

- WHEN WITH PETITIONER -

DOB:

DOB:

RESPONDENT:

Zachary E. Smith
First Middle Last

RESPONDENT IDENTIFIERS

SEX	RACE	HT	WT
<u>M</u>	<u>W</u>	<u>6'01"</u>	<u>225</u>
EYES	HAIR	DATE OF BIRTH	
<u>Bro</u>	<u>Bald</u>	<u>02</u>	<u>18</u> / <u>1984</u>
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Relationship to Petitioner:

Ex Spouse

Address where Respondent can be found:

3443 Village Club Dr.
Powell OH 43065

Distinguishing features:

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.**

THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until

7 / 20 / 2023

(DATE CERTAIN)

2018 JUN 20 PM 1:24
FILED
CLERK OF COURTS
DELAWARE COUNTY, OHIO
COMMON PLEAS COURT

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

This proceeding came on for an *ex parte* hearing on 7 1 20 12018 (Respondent not being present), upon the filing of a Petition by Petitioner for a domestic violence civil protection order (CPO) against the Respondent, pursuant to R.C. 3113.31. In accordance with R.C. 3113.31(D)(1), the Court held an *ex parte* hearing on the same day that the Petition was filed.

The Court finds that the protected persons herein are in immediate and present danger of domestic violence and for good cause shown, the following temporary orders are necessary to protect the persons named in this Order from domestic violence.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence:

N/A

2. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at:

3325 MAINVIEW CT. POWELL OH 43065

is granted to: COURTNEY C SMITH. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or Insurance or interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

POWELL POLICE; DCSSO - IF ANY -

4. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Respondent may not violate this Order **even with the permission of a protected person**. [NCIC 04]

5. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or 200 (distance) of any protected persons wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

6. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care

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providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings; electronic communications, or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

N/A
 7. **RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE,** _____, to the law enforcement agency that served Respondent with the Order or as follows:

_____ and Petitioner is granted exclusive use of this motor vehicle.

8. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows:
N/A CHILDREN'S PERSONAL ITEMS GO WITH CHILDREN

9. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.

10. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** at any time while the Order remains in effect unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

11. **RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE** in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows:
DCSO; POWELL POLICE

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

N/A SHARED PLAN 15DRA11 457
 11. **PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:** [NCIC 09] _____
This Order applies to the following child(ren): _____

12. **VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**
 (A) Respondent's visitation rights are suspended; or
 (B) As a limited exception to paragraphs 5 and 6, temporary visitation rights are established as follows: [NCIC 06]

AS PER 9/2/2016 SHARED PARENTING DECREE EXCEPT PICK UP DROP OFF AT POWELL POLICE DEPT UNDER SUPERVISION - NO COMMUNICATION - A 3rd PARTY DESIGNEE OF PETITIONER MAY BE PRESENT OR DO-EXCHANGE

This Order applies to the following child(ren):

CAMERON M SMITH . 2/2/2010
QUINN SMITH 3/23/2012

13. LAW ENFORCEMENT AGENCIES, including but not limited to, POWELL P.D - DCSD are ordered to assist Petitioner in gaining physical custody of the child(ren), if necessary.

14. RESPONDENT SHALL SUPPORT the protected persons named in this Order as follows:
N/A

15. RESPONDENT MAY PICK UP CLOTHING and personal effects from the above residence only in the company of a uniformed law enforcement officer within seven days of the filing of this Order. Arrangements may be made by contacting:
N/A

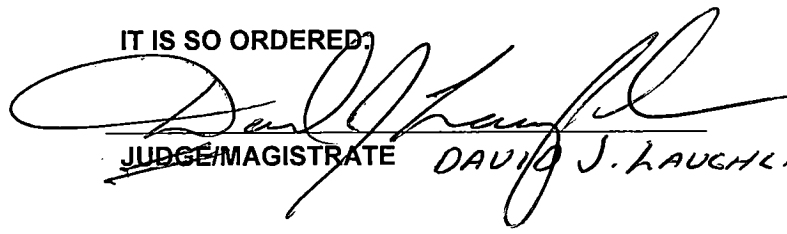
16. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

17. IT IS FURTHER ORDERED: [NCIC 08]
N/A

18. ALL DISCOVERY SHALL STRICTLY COMPLY with Civ.R. 65.1(D).

19. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this protection order.

20. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL 7/20/2023 unless earlier modified by or dismissed by order of this Court. Except for paragraphs 11, 12, 13, and 14 above, this Order survives a divorce, dissolution of marriage, or legal separation.

IT IS SO ORDERED:

JUDGE/MAGISTRATE DAVID J. LAUGHLIN

NOTICE TO RESPONDENT

THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERM OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A FULL HEARING on this Order, and on all other issues raised by the Petition, shall be held before Judge or Magistrate:

David J. Laughlin

on the 3 day of August, 20 18

at 9:30 a.m. p.m. at the following location:

Delaware County Courthouse

110 N. Sandusky St.

Level 400 - Hearing Room 2

Delaware, OH 43015

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED

TO:

Petitioner

Respondent

Police Department Where Petitioner Resides:

Powell P.D.

Sheriff's Office:

DCSO

Police Department Where Petitioner Works:

CSEA

Other: Victim Services

[Skip to main content](#)**18 DV H 07 0425 SMITH, COURTNEY C VS. SMITH, ZACHARY E RDF**

- Case Type:
- (DV) DOMESTIC VIOLENCE
- Case Status:
- Open
- File Date:
- 07/20/2018
- DCM Track:
-
- Action:
- DOMESTIC VIOLENCE
- Status Date:
- 07/20/2018
- Case Judge:
- FULLER, RANDALL D
- Next Event:
- 09/14/2018

[All Information](#) | [Party](#) | [Event](#) | [Docket](#)

Docket Information

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>Image Avail.</u>
07/20/2018	CLASSIFICATION	CLASSIFICATION			Image
07/20/2018	INSTRUCTIONS FOR SERVICE	INSTRUCTIONS FOR SERVICE			Image
07/20/2018	PETITION FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER	PETITION FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER			Image
07/20/2018	PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))	INFORMATION FOR PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))			Image
07/20/2018	Hearing Scheduled	Hearing Scheduled Event: DR DV CPO EX PARTE HEARING Date: 07/20/2018 Time: 11:00 am Judge: LAUGHLIN, DAVID J Location: HEARING ROOM 2 - LEVEL 400			
07/20/2018	Hearing Scheduled	Hearing Scheduled Event: DR DV CPO FULL HEARING Date: 08/03/2018 Time: 9:30 am Judge: LAUGHLIN, DAVID J Location: HEARING ROOM 2 - LEVEL 400 Result: DR CONTINUED			
07/20/2018	DOMESTIC VIOLENCE CIVIL PROTECTION ORDER EX PARTE	DOMESTIC VIOLENCE CIVIL PROTECTION ORDER EX PARTE			Image
07/20/2018	JUDGMENT ENTRY - PROTECTION ORDER NOTICE TO NCIC	JUDGMENT ENTRY - PROTECTION ORDER NOTICE TO NCIC			Image
07/20/2018	NOTICE TO SERVE	NOTICE TO SERVE ZACHARY SMITH			Image

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>Image Avail.</u>
07/20/2018	CLERKS CERTIFICATE OF MAILING	CLERKS CERTIFICATE OF MAILING			Image
07/23/2018	SHERIFFS RETURN	SHERIFFS RETURN RECEIVED THIS WRIT THE 20TH DAY OF JULY 2018 AND ON THE 20TH DAY OF JULY 2018 I SERVED THE WITHIN NAMED (ZACHARY SMITH) BY PERSONAL / RESIDENTIAL SERVICE WITH ATTACHED ACKNOWLEDGMENT OF RECEIPT BY DEFENDANT			Image
07/23/2018	ACKNOWLEDGMENT OF RECEIPT	ACKNOWLEDGMENT OF RECEIPT BY LAW ENFORCEMENT DCSO			Image
07/27/2018	NOTICE	NOTICE OF APPEARANCE OF COUNSEL Attorney: LEVERIDGE, JULIA L (0072440) E-FILED			Image
07/27/2018	NOTICE	RESPONDENTS NOTICE OF APPEARANCE OF COUNSEL Attorney: KOFFEL, BRADLEY P (0062184) E-FILED			Image
07/27/2018	MOTION	RESPONDENTS MOTION FOR EXPEDITED DISCOVERY Attorney: KOFFEL, BRADLEY P (0062184) E-FILED			Image
07/27/2018	ACKNOWLEDGMENT OF RECEIPT	ACKNOWLEDGMENT OF RECEIPT BY LAW ENFORCEMENT POWELL POLICE DEPARTMENT			Image
07/30/2018	MAGISTRATES ORDER	MAGISTRATES ORDER - RULING THIS CASE REMAINS SET FOR FULL HEARING FOR AUGUST 3 2018 AT 9:30 AS ORDERED			Image
07/31/2018	POSTAGE FEE	ORDER DATED 7/30/18 MAILED TO COURTNEY SMITH, ZACHARY SMITH, ATTY LEVERIDGE, ATTY KOFFEL AND PLACED IN DCSO AND VICTIM SERVICES COURTHOUSE MAILBOXES	\$0.00	\$0.00	
08/01/2018	NOTICE	NOTICE OF APPEARANCE OF CO-COUNSEL (EFILED) Attorney: HORVATH, DENNIS E (0073277)			Image
08/01/2018	MOTION	REQUEST FOR TRANSCRIPT OF PROCEEDINGS (EFILED) Attorney: KOFFEL, BRADLEY P (0062184)			Image
08/01/2018	Hearing Scheduled	Hearing Scheduled Event: DR DV CPO FULL HEARING Date: 09/14/2018 Time: 9:00 am Judge: LAUGHLIN, DAVID J Location: HEARING ROOM 2 - LEVEL 400 additional time			
08/02/2018	MOTION	JOINT MOTION FOR ORDER SCHEDULING ADDITIONAL TIME Attorney: LEVERIDGE, JULIA L (0072440) Attorney: KOFFEL, BRADLEY P (0062184) Attorney: HORVATH, DENNIS E (0073277) E-FILED			Image
08/02/2018	JUDGMENT ENTRY	JUDGMENT ENTRY RULING ORC 3113.31 CIVIL RULE 65.1 SET ADDITIONAL FULL HEARING / CASE MANAGEMENT ORDERS THIS CASE IS NOW SET FOR FULL HEARING FOR SEPTEMBER 14 2018 AT 9:00 AM			Image
08/02/2018	POSTAGE FEE	POSTAGE FEE (MAG ORDER DATED 8/2/18 MAILED TO COURTNEY SMITH, ZACHARY SMITH, ATTY LEVERIDGE, ATTY KOFFEL AND ATTY HORVATH, DCSO AND VS COPIES - COURTHOUSE MAILBOXES)	\$0.00	\$0.00	

<u>Date</u>	<u>Description</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Amount Due</u>	<u>Image Avail.</u>
08/06/2018	NOTICE	NOTICE OF APPEARANCE AS CO-COUNSEL FOR PETITIONER COURTNEY C SMITH Attorney: SIRKIN, H LOUIS (0024573) E-FILED			Image
08/06/2018	MAGISTRATES ORDER	MAGISTRATES ORDER ON JOINT MOTION FOR ORDER SCHEDULING ADDITIONAL TIME			Image
08/06/2018	POSTAGE FEE	POSTAGE FEE (MAG ORDER DATED 8/6/18 MAILED TO ATTY LEVERIDGE, ATTY WILLISON, ATTY KOFFEL AND ATTY HORVATH)	\$0.00	\$0.00	