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IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

FILED Pf

2006 SEP 28 PM 2 49

Plaintiff
VS.
Michael Anthony Stone

Defendant

CLERK OF DIST. COURT
Case No. JUDICIAL DISTRICT
SEDGWICK COUNTY, KS

BY _____

06DM7026

PETITION FOR PROTECTIVE ORDER
(Pursuant to K.S.A. 60-3101, et seq.)

- 1. I live in the City of Derby, in the County of Sedgwick, Kansas.
- 2. I have filed 0 (give number) petitions for protection from abuse in the past twelve months. The dates of these petitions are _____ These petitions were filed in the counties of _____ (State which petitions, if any, involved abuse of a minor child) _____

3. I am seeking protection for: (check all that apply)

- myself
- my minor child (under age 18)
- a minor child who lives with me

4. The defendant and I: (answer all that apply if you are asking for protection for yourself)

- are currently in a dating relationship
- were formerly in a dating relationship
- currently live together in the same residence
- formerly lived together in the same residence
- have never lived together in the same residence
- have had a child in common

(If you are alleging that you and the defendant are or were in a dating relationship, briefly describe that relationship, including date the relationship ended, if appropriate):

We married Sept 15th 1995 and Divorced Nov 13 1998

The residence is: (answer if you want the judge to order the defendant to move)

- a) jointly owned, or rented and jointly occupied by defendant and me
- b) owned, or rented by me
- c) owned, or rented by defendant only
- d) owned, or rented by someone else (explain)
- e) none of the above (explain)
- f) not applicable because the defendant and I do not live together.

5. The minor child(ren) (check all that apply if you are asking for protection for minor child(ren))

is currently in a dating relationship with the defendant

was formerly in a dating relationship with the defendant

currently lives with the defendant (and has since the following date:)

currently lives with me (and has since the following date:) *lived w/ me since Residential Cust May of 2000*

formerly lived with the defendant

has never lived with the defendant

has had a child in common with the defendant

(If you are alleging that the minor child and the defendant are or were in a dating relationship, briefly describe that relationship): _____

6. The following legal actions have been filed between me and the defendant or involving the minor children (check case type, give county filed in, and give case number and date filed, if known)

divorce/custody *divorced in 1998 and I now have Residential Custody*

paternity _____

child in need of care _____

action seeking protective order _____

other _____

7. The following minor children are involved in this matter (give full names and ages)

Name	DOB	Mother's Name	Father's Name

If you are requesting custody of a minor child who is also a child of the defendant, you must complete and attach an additional form concerning jurisdiction (UCCJEA form).

8. I am seeking protection from abuse because the defendant: *Michael Anthony Stone* (name of person you are seeking protection from) has (check all that apply)

caused me bodily injury or attempted to cause me bodily injury

placed me in fear of imminent bodily injury by threatening me

caused the minor children bodily injury or attempted to cause them bodily injury

placed the minor children in fear of imminent bodily injury

engaged in any of the following acts with a minor under 16 years of age who is not the spouse of the defendant: sexual intercourse or lewd fondling or touching of the person of either the minor or the defendant.

9. The acts complained of occurred on these dates:

- On September 14th 2006, Michael Stone, threatened me.
- On September 9th 2006, Michael Stone threatened our two sons, with a stool, held above his head and made them believe he was going to hit them with it.

10. Briefly describe the specific facts about why you are seeking a protection from abuse order:

On Sept 14, 2006, my son Michael called from his school to have me come to (Derby Middle School) his school to tell his father, Michael Anthony Stone that he did not want to go with him. My sons Principal and school counselor were standing outside waiting for my son to get out of tutoring so they could wait for me. I agreed to go to try to talk to Mike Stone. I called Derby P.D. to meet me there because I am afraid of what he might do to me or my son if he feels confront Mike Stone, (my sons father) was standing w/ the principal & counselor when I pulled up. I parked very far from where his vehicle was and from where he was standing so I could avoid as much contact as possible. In his vehicle was my youngest son his wife and his wife's son. The windows were up and no one got out of the vehicle at any point. When Mike Stone saw me, he walked away from the principal & counselor toward me. Because I was walking to the Principal & counselor to find my son. As we passed (I was still on the phone w/ dispatch) he looked me straight into the eyes and said "I'm going to take care of you, you stupid fucking bitch." When he said this he had a smirk on his face. He then said "I'm going to the Police station now too". I then told him I was on the phone.

(FOR ADDITIONAL SPACE SEE ATTACHED SUPPLEMENTAL)

11. The defendant can be found at: (give all available address, if known):

HOME: street 118 W 5th Street
 city Douglas state KS zip code _____
 phone number 833 2000 or 833 2007 or 747 2320
 times when defendant is usually there late evening (7:00pm) or usually

WORK: street Butler County Sheriffs dept is name of work not sure of address.
 city El Dorado state KS zip code 67042
 phone number 316 320 1294
 times when defendant is usually there _____

OTHER: street _____
 city _____ state _____ zip code _____
 phone number _____
 times when defendant is usually there _____

WHEREFORE, plaintiff requests that the Court issue an order of protection restraining defendant from:

a) abusing, molesting or interfering with the privacy or rights of the plaintiff and the minor child (ren)

b) entering or coming on or around the premises or the residence of the plaintiff located at: (Give address or other description of residence from which defendant is to be excluded.)

I am requesting that my address and telephone number remain confidential for the following reason: (complete if appropriate)

FURTHER, plaintiff requests that the Court also issue the following order(s): (check if appropriate)

c) defendant immediately move from and not return to the residence located at:

(You must include your address if defendant is ordered to be removed from the residence)

d) law enforcement officers be directed to evict the defendant from the residence located at: _____

e) law enforcement officers be directed to grant any assistance necessary to protect plaintiff and child(ren) from abuse

Plaintiff further requests that copies of orders be given to the appropriate law enforcement agencies; that the Court issue an *ex parte* order of temporary custody of the minor child(ren), if appropriate; that a date, time and place for a hearing on this matter be set; and that summons be issued to defendant, notifying the defendant of this action and the relief requested.

Plaintiff further requests that upon hearing of this cause, the Court issue a final order of protection, enjoining defendant from any acts of abuse against the plaintiff and the plaintiff's child(ren), and that the Court award to plaintiff the following additional relief:

- a) suitable alternative housing for plaintiff and minor child(ren)
- b) custody of the minor child(ren) (UCCJEA form completed)
- c) child support
- d) support of spouse
- e) possession of personal property, and the assistance of a law enforcement officer in securing that property, if necessary
- f) attorney's fees, if represented by counsel; and costs
- g) counseling for defendant
- h) other, please specify: _____

and for such other and further relief, all as appropriate and as the Court deems necessary.

Misty Monera
(Plaintiff's signature)

(If attorney represents the plaintiff the attorney's address and phone number must be provided.)

VERIFICATION

STATE OF KANSAS)
)ss:
COUNTY OF _____)

~~Misty Morris~~, of lawful age, being first duly sworn states that (she)(he) is the plaintiff in the above action; that (she)(he) has read the foregoing Petition and knows the contents of it and that the declarations in it are true and correct to the best of plaintiff's knowledge and belief.

Misty Morris
Plaintiff's signature

SIGNED AND SWORN to (or affirmed) before me on this 28th day of Sept,
06.

Louise Cody
Clerk of the District Court / Notary Public



My Appointment Expires _____

SUPPLEMENT TO QUESTION 10

the police right now. I told dispatch he was leaving ~~so~~ ^{mm} and I was in the school now so they didn't need to send anyone. I then spoke w/ the principal counselor and they told me they couldn't find my son, that he must have run off. I told them what Mike had told me and told them that they needed to start reporting all of things my son had confided in them with so something or someone could help him. I then left and found my son. After finding my son we went to the police station in Derby so I could make a report, regarding the threat Mike Stone had made towards me. Derby served Mike Stone with a Notice to Appear.

I am terrified of my ex husband, Mike Stone, because during our marriage he became an alcoholic who beat me on a nightly basis. Like clockwork, he would arrive home around 11:00 pm to 12:00 am drunk and we would argue. Then he would start hitting me, with closed fists, arm drawn back and me screaming for him to stop. One night it was so bad I called his father for help. His father, Andrew Stone, called the police and fire dept. Mike Stone left and they issued a warrant. They took myself and my 1 1/2 yr old son down to the station to take pictures and to take my statement. He was charged and convicted of DV assault in 1995, while we lived in Rosamond, Kern County, CA.

My oldest son, Michael is terrified of his father and runs away to avoid being around him and having to go w/ him. Michael was 8 or 9 when his father picked him up by the throat and pushed him up the wall, he was so scared he peed in his pants. On Sept 9th 2006 after drinking all day w/ his wife Mike became angry with Michael and Bradley both, and picked up a stool like he was going to hit them with it. Bradley yelled "hel please don't kill me" and Michael put his head between his legs and cried for help. Debbie, Mike's wife got him to calm down and put the stool down.



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IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

FILED

2006 SEP 28

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CLERK OF DIST. COURT
18TH JUDICIAL DISTRICT

Case No. _____

BY _____

06DM7026

Plaintiff

VS.

Michael Anthony Stone

Defendant

NOTICE OF HEARING AND
TEMPORARY ORDERS OF PROTECTION

To defendant (name):

Michael Anthony Stone

FILED
APP DOCKET NO. _____
2006 OCT 11 A 9:06
CLERK OF DIST. COURT
18TH JUDICIAL DISTRICT
SEDGWICK COUNTY, KS

You may appear in t his Court as follows to give any evidence you may have why order sought in the petition should not be granted.

Date: 10-12-04

Time: 1 pm

Place: JURY ROOM; 1ST FLOOR
SEDGWICK COUNTY COURTHOUSE
525 NORTH MAIN
WICHITA, KANSAS 67203

If you do not attend the hearing, final orders may be made against you. You have the right to appear and oppose the petition with or without an attorney.

REASONABLE ACCOMMODATIONS WILL BE PROVIDED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITY ACT.

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4. Care, custody and control of the following minor child(ren) are temporarily awarded to _____ plaintiff or _____ defendant:

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Dr Butler by bail 980314

5. Other: _____

6. CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA):
This order meets all the requirements of the Violence Against Women Act, 18 U.S.C 2265. This Court has jurisdiction of the parties and the subject matter, the defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of Kansas. This Order is enforceable in all 50 states, the District of Columbia, all Indian tribal courts and all United States territories and shall be enforced as if it were an order that jurisdiction pursuant to 18 U.S.C 2265.

THIS ORDER IS EFFECTIVE WHEN SIGNED BY THE JUDGE. LAW ENFORCEMENT OFFICIALS SHALL ENFORCE THE ORDER IMMEDIATELY UPON RECEIPT. THE DEFENDANT IS HEREBY PUT ON NOTICE THAT VIOLATION OF THIS ORDER MAY CONSTITUTE VIOLATION OF A PROTECTIVE ORDER AS PROVIDED IN K.S.A. 21-3843. ADDITIONALLY, VIOLATION OF THIS ORDER MAY CONSTITUTE ASSAULT AS PROVIDED IN K.S.A. 21-3408, AND AMENDMENTS THERETO, BATTERY AS PROVIDED IN K.S.A. 21-3412, AND AMENDMENTS THERETO, DOMESTIC BATTERY AS PROVIDED IN K.S.A. 21-3412A, AND AMENDMENTS THERETO, AND MAY RESULT IN PROSECUTION AND CONVICTION UNDER KANSAS CRIMINAL STATUTES.

IF POSSESSION OF THE RESIDENCE IS GRANTED TO THE PLAINTIFF, VIOLATION OF THIS ORDER BY THE DEFENDANT CONSTITUTES CRIMINAL TRESPASS PURSUANT TO K.S.A. 21-3721, AND AMENDMENTS THERETO, AND MAY RESULT IN PROSECUTION AND CONVICTION UNDER KANSAS CRIMINAL STATUTES. VIOLATION OF THIS ORDER MAY ALSO BE PUNISHABLE AS A CONTEMPT OF THIS COURT.

IT IS SO ORDERED.

Carol Brown

JUDGE OF THE DISTRICT COURT

PS TO MIKE STONE, 2:55PM, 10-2-06


D K Cook
D K COOK
DEPUTY SHERIFF
BUTLER COUNTY KANSAS

Y

TEMPORARY ORDERS OF PROTECTION FROM STALKING

INFORMATION ABOUT DEFENDANT: Race American Indian Sex M

THIS TEMPORARY ORDER SHALL EXPIRE ON THE DATE SCHEDULED FOR HEARING;
UNLESS EXTENDED BY THE COURT.

On this date, Sept 28, 2006 , plaintiff's petition for temporary orders of protection from stalking comes for consideration under the provisions of K.S.A. 60-3101, et seq.

After considering the verified petition filed with the court by the plaintiff the court finds that:

(1) The plaintiff has established good cause for the court to issue a temporary order of protection from abuse.

(2) Including this petition, the plaintiff has not filed more than two actions under the Protection from Abuse Act in the past twelve months which did not involve abuse of minor children.

IT IS THEREFORE BY THE COURT ORDERED THAT:

1. The defendant shall not abuse, molest, or interfere with the privacy or rights of the plaintiff, the plaintiff's minor child(ren) or the minor child(ren) residing with the plaintiff wherever they may be. This means no contact with the plaintiff, directly or indirectly, by the defendant or by someone at the defendant's behest, except as authorized by the Court in this Order.
2. The defendant shall not enter or come on or around the premises or the dwelling or workplace where the plaintiff resides, stays or works.
3. _____ (CHECK IF APPLICABLE) The plaintiff is granted exclusive possession of the residence located at:

_____ (CHECK IF APPLICABLE) The plaintiff's _____ address and _____ telephone number must remain confidential for the protection of the plaintiff, plaintiff's child(ren) or the minor child(ren) residing with plaintiff.

If the plaintiff is granted exclusive possession of the residence then the defendant must immediately move from such address and take only personal clothing and effects until further order of the court. Defendant shall not cancel utilities to such residence. Law enforcement officials are hereby directed to evict the defendant from such residence, and to ensure that defendant does not enter or re-enter the premises or any other residence the plaintiff may occupy.

(COMPLETE IF APPLICABLE)

X

18th Judicial District Court
Domestic Department
Record of Hearing/Entry of Judgment



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FILED

APP DOCKET NO.

2006 NOV 15 P 2:04

18th JUDICIAL DISTRICT COURT
DOMESTIC DISTRICT
SENECA COUNTY, KANSAS

BY _____

s. Michael A Stone Sr, Respondent

Case: 2006-DM-007026-PF

Date: 11/16/06

Time: 1:00 pm

Hearing Type: Protection from Abuse

Reason/Comment: Notice of Hearing
Cont from 11-0-06 by pltf

Plaintiff(s)

Plaintiff Attorney(s)

Defendant(s)

Defendant Attorney(s)

Morris Misty

Stone Michael

Disposition:

*Plf did not appeared / Def appeared
DISMISSED*

ORDER

Date:

It is ordered:

- That _____ prepare a journal entry/order reflecting the court's action
- That Judgment is entered as set forth in disposition

Record Taken By _____

Approved: Attorney - Petitioner _____

Approved: Attorney - Respondant _____

Miss Dease

Judge, Division

Please return this form to the
assignment court upon completion