

Amended *Muab kho dua*

**Petition for Temporary Restraining Order and/or
Petition and Motion For Injunction Hearing**
***Tsab Ntawv Foob rau Kev Xaaj Tiv Thaiv Mus Ib Ntus thiab/los sis Ntawv
Foob thiab Thov Kom Muaj Lub Rooj Sib Hais Muab Kev Txwv***
(Domestic Abuse – 30709)
(*Kev Tsim Txom Tsev*)

Case No. _____
Rooj Plaub Tus Naj Npawb

This form does not replace the need for an interpreter, any colloquies mandated by law, or the responsibility of the court and counsel to ensure that persons with limited English proficiency fully comprehend their rights and obligations. This form must be completed in the English language.

Daim foos no tsis hloov qhov xav tau ib tus neeg txhais lus, muaj kev sib tham txog dab tsi raws li txoj cai, los sis lub luag hauj lwm ntawm lub tsev hais plaub thiab tus kws lij choj kom ntseeg tau tias cov neeg uas tsis txawj lus Meskas zoo muaj kev nkag siab txog nws cov cai thiab nws cov hauj lwm yuav tau ua ntawd. Daim foos no yuavtsum ua kom tiav siv hom lus Askiv.

PETITIONER

Name of Petitioner (*First, Middle, Last*) *Tus Neeg Ua Ntawv Foob*

* If you are completing this Petition on behalf of the Petitioner, insert your name on page 5.
* *Yog tias koj ua Tsab Ntawv Foob no sawv cev tus Neeg Ua Ntawv Foob, thov sau koj lub npe rau ntawm phab 5.*

Date of Birth of Petitioner

Hnub Yug ntawm tus Neeg Ua Ntawv Foob

-VS- -tawm tsam-

RESPONDENT/DEFENDANT

**Name of Respondent/Defendant (*First, Middle, Last*)
*Tus Neeg Raug Foob/Tus Tiv Neeg Thaiv Rooj Plaub***

Respondent's/Defendant's Street Address, City, State, Zip
Tus Neeg Raug Foob/Tus Neeg Tiv Thaiv Rooj Plaub Qhov Chaw Nyob, Nroog, Xeev, Lej Cim Zos (Zip)

Please specify Petitioner's relationship(s) to Respondent/Defendant:
Thov qhia tus Neeg Ua Daim Ntawv Foob qhov (cov) kev txheeb ze rau tus Neeg Raug Foob/Tus Neeg Tiv Thaiv Rooj Plaub:

- | | | |
|---|--|---|
| <input type="checkbox"/> spouse
<i>tus txij nkawm</i> | <input type="checkbox"/> cousin
<i>kvv tij/viv ncaus</i> | <input type="checkbox"/> adoptive parent
<i>niam/txiv saws me nyuam los tu</i> |
| <input type="checkbox"/> former spouse
<i>tus txj nkawn yav tas los</i> | <input type="checkbox"/> sibling
<i>nkauj muam nraug nus koom niam txiv</i> | <input type="checkbox"/> grandparent
<i>pog (niam tais)/yawg (yawm txiv)</i> |
| <input type="checkbox"/> person in dating relationship
<i>hluas nkauj/hluas nraug</i> | <input type="checkbox"/> parent
<i>niam/txiv</i> | <input type="checkbox"/> child (biological/adoptive/step)
<i>me nyuam (roj ntsha yug los tu/me nyuam tshiab)los/saws</i> |
| <input type="checkbox"/> current or former live-in relationship
<i>tus neeg nrog nyob tam sim no los yog yav tag</i> | <input type="checkbox"/> step parent
<i>niam/txiv tshiab</i> | |
| <input type="checkbox"/> Other: [Be specific] <i>Txheeb lwm qhov: [Qhia kom meej]</i> | | |

SEX <i>POJ NIAM/ TXIV NEEJ</i>	RACE <i>HAIV NEEG</i>	DOB <i>HNUB YUG</i>	HT <i>SIAB</i>	WT <i>HNYAV</i>

HAIR COLOR <i>XIM PLAUB HAU</i>	EYE COLOR <i>XIM QHOV MUAG</i>

Respondent's/Defendant's Distinguishing Features

Tus Neeg Raug Foob/Tus Neeg Tiv Thaiv Rooj Plaub Tej Yam Ntxwv Ua Rau Cim Tau Nws
(such as scars, marks or tattoos)
(xws li caws pliav, kos los sis kev kos duab rau tawv nqajj)

None known. *Tsis paub saib puas muaj.*

CAUTION:
(Check all that apply)
CEEB FAJ:
(Check all that apply)

Respondent has access to weapon(s). Type of weapon(s): _____
Tus Neeg Raug Foob/Tus Neeg Tiv Thaiv Rooj Plaub muaj kev cuag tau (cov) riam phom. Hom (cov) riam phom zoo li cas:
Location of weapon(s): _____

(Kos rau tas nrho qhov hais raug)

Rab (cov) riam phom nyob qhov twg:

Weapon(s) were involved in an incident [past or present] involving the petitioner.

Rab (cov) riam phom yeej tau muab siv rau ib qhov xwm txheej [yav tag los yog tam sim no] rau tus neeg ua tsab ntawv foob.

I PETITION THE COURT for a Temporary Restraining Order and/or Injunction against the respondent under §813.12, Wis. Stats., based on the following:

KUV UA NTAWV FOOB RAU LUB TSEV HAIS PLAUB kom ua ntawv xaaj muab kev tiv thaiv mus ib ntus thiab/los yog tau kev txwv tawm tsam tus neeg raug foob raws li tsab cai §813.12, Wisconsin Cov Cai, vim muaj cov xwm txheej hauv qab no:

1. The adult respondent is [Mark any of the following boxes that apply.]

Tus neeg raug foob uas muaj hnub nyoog lawm yog [kos rau cov npov nram qab no uas hais yog.]

- a. a spouse or former spouse of the petitioner.
ib tus txij nkawm los yog tus qub txij nkawm ntawm tus neeg ua ntawv foob.
- b. a parent, child, or a person related by blood or adoption to the petitioner.
ib tus niam thiab txiv, tus me nyuam, los sis ib tus neeg txheeb ze los ntawm roj ntsha los yog saws los tu ntawm tus neeg ua ntawv foob.
- c. a person in a current or former live-in relationship with the petitioner.
ib tus neeg uas tseem nyob nrog los sis tau nrog nyob dua nrog tus neeg ua ntawv foob.
- d. a person with whom the petitioner has a child in common.
ib tus neeg uas tus neeg ua ntawv foob muaj ib tug me nyuam nrog.
- e. a person who provides in home or community care for the petitioner
ib tus neeg uas muab kev pab tu hauv tsev los sis hauv zej zos rau tus neeg ua ntawv foob.
- f. a person with whom the petitioner has or had a dating relationship.
ib tus neeg uas tus neeg ua ntawv foob tseem tham los sis tau tham ib zaug lawm.

2. The petitioner is [Mark any of the following boxes that apply.]

Tus neeg ua ntawv foob [kos rau cov npov nram qab no uas hais yog.]

- a. not married to the respondent.
tsis tau sib yuav nrog tus neeg raug foob.
- b. living on property owned by respondent and the petitioner does does not have a legal interest in that property.
nyob hauv lub tsev uas tus neeg raug foob yog tus tswv thiab tus neeg ua ntawv foob muaj tsis muaj feem xyuam raws cai nrog lub tsev ntawd.

3. The petitioner is is not in imminent danger of physical harm.

Tus neeg ua ntawv foob yog tsis yog nyob hauv ib qho kev phom sij yuav raug rau tus kheej.

4. Stated on next page or attached as part of this Petition is a statement of facts indicating that respondent has engaged in, or based on prior conduct of the petitioner and the respondent may engage in, domestic abuse of the petitioner.

Cov lus muab teev rau phab ntawv tom ntej los sis muab ntiv rau tsab ntawv foob no yog cov lus teev txog cov kev uas tshwm sim muaj tseeb tias tus neeg raug foob yeej tau raus tes ua, los yog raws li qhov tau ua yav tas los ntawm tus neeg ua daim ntawv foob thiab tus neeg raug foob, tej zaum yuav tau tsim txom tus neeg ua daim ntawv foob no lawm.

(Domestic abuse is defined in §813.12(1)(am), Wis. Stats., as an intentional infliction of or threat to inflict physical pain, physical injury or illness; impairment of physical condition; damage to personal property; stalking; or sexual contact or sexual intercourse without consent. There must be facts showing an imminent danger of physical harm before a temporary restraining order can be issued.)

(Kev Tsim Txom Tsev Neeg muab txhais rau hauv tsab cai §813.12(1)(am), Wisconsin Cov Cai, tias yog txhob txwm ua kom raug los sis hawv hais tias yuav ua kom raug mob rau lub cev, raug tus neeg daim nqaij daim tawv los sis kom muaj mob; ua kom xiam oob qhab; ua kom khoom vaj tse puas tsuaj; tuaj nyas xauj; los sis kov yam ua dev ua npua los sis deev tib neeg yam tsis tau kev tso cai. Yuav tsum muaj pov thawj qhia tau hais tias yuav muaj kev phom sij ua ntej yuav tau ua ib daim ntawv tiv thaiv mus ib ntus.)

(State when, where, what happened, and who did what to whom)

See attached

5. Another no contact order between the petitioner and the respondent

Muaj lwm daim ntawv xaaj tsis pub sib cuag ntawm tus neeg ua ntawv foob thiab tus neeg raug foob

- does not exist or the petitioner does not know or is uncertain as to whether another no contact order exists.

tsis muaj los sis tus neeg ua ntawv foob tsis paub los sis tsis paub meej seb puas muaj lwm daim ntawv xaaj tsis pub sib cuag.

- does exist.

Muaj.

Name of other case: _____

Lub npe ntawm lwm rooj plaub:

County or State: [If not Wisconsin] _____

Lub County los sis lub Xeev: [yog hais tias tsis nyob rau lub xeev Wisconsin]

Type of Case: _____

Hom Plaub Dab Tsi:

Case Number: [If known] _____

Rooj Plaub Tus Naj Npawb: [yog hais tias paub]

Date of proceeding that resulted in no contact order: [If known] _____

Hnub uas kev hais rooj plaub los xaus ua rau muaj daim ntawv xaaj tsis pub sib cuag: [yog hias tias paub]

Details of no contact order: _____

Cov lus hais meej ntawm daim ntawv xaaj tsis pub sib cuag:

I REQUEST THE COURT: [Mark any of the following boxes that apply]

KUV THOV KOM LUB TSEV HAIS PLAUB: [Kos rau cov npov nram qab uas hais yog]

1. Issue a Temporary Restraining Order requiring the respondent to
Ua ib daim ntawv xaaj tiv thaiv ib ntus yuam kom tus neeg raug foob no los mus
- a. refrain from committing acts or threats of domestic abuse against the petitioner.
tso tseg tsis txhob tsim txom los yog tso hem thawj tias yuav tsim txom tus neeg ua ntawv foob.
- b. avoid the petitioner's residence and/or any location temporarily occupied by the petitioner.
zam tsis txhob mus ze tus neeg ua ntawv foob qhov chaw nyob thiab/los sis ib qho chaw so twg uas tus neeg ua ntawv foob nyob mus ib ntus.
- c. avoid contacting the petitioner or causing any person other than a party's attorney or law enforcement officer to contact the petitioner. *Contact includes: contact at petitioner's home, work, school, public places, in person, by phone, in writing, by electronic communication or device, or in any other manner.*
zam tsis txhob mus cuag tus neeg ua ntawv foob los yog ua rau lwm tus uas tsis yog kws lij choj los yog tub ceev xwm tuaj cuag tus neeg ua ntawv foob. Kev sib cuag muaj xws li: tuaj cuag tus neeg ua ntawv foob ntawm nws tsev, chaw ua hauj lwm, chaw kawm ntawv, qhov chaw uas pej xeem neeg nyob tau, tim ntsej tim muag, hauv xov tooj, xa ntawv, siv khoom fais fab xa ntawv, los sis lwm txoj kev siv kom mus cuag tau.
- d. refrain from removing, hiding, damaging, harming, or mistreating, or disposing of, a household pet.
tso tseg tsis txhob muab tus aub hauv tsev (household pet) tshem tawm, muab zais, ua kom puas tsuaj, ua kom raug mob, los yog muab tshem mus rau lwm qhov.
- e. allow the petitioner or a family member or household member of the petitioner acting on his/her behalf to retrieve a household pet.
pub rau tus neeg ua ntawv foob los yog ib tus neeg hauv tsev neeg ntawm tus neeg ua ntawv foob los mus ua hauj lwm sawv nws cev mus koj tus aub los rau nws.
- f. Other: [List other specific behavior the petitioner wants the respondent to stop doing]
Lwm yam: [Teev cov yeeb yam uas tus neeg ua ntawv foob xav kom tus neeg raug foob tso tseg txhob ua ntxiv lawm]

2. Set a time for a hearing on the Petition for an Injunction requiring the respondent to

Teem ib lub sij hawm rau lub rooj sib hais muab kev txwv kom tus neeg raug foob yuav tsum

- a. refrain from committing acts or threats of domestic abuse against the petitioner.
tso tseg tsis txhob tsim txom los yog tso hem thawj tias yuav tsim txom tus neeg ua ntawv foob.
- b. avoid the petitioner's residence and/or any location temporarily occupied by the petitioner.
zam tsis txhob mus ze tus neeg ua ntawv foob qhov chaw nyob thiab/los sis ib qho chaw so twg uas tus neeg ua ntawv foob nyob mus ib ntus.
- c. avoid contacting the petitioner or causing any other person than a party's attorney or law enforcement officer to contact the petitioner. *Contact includes: contact at petitioner home, work, school, public places, in person, by phone, in writing, by electronic communication or device, or in any other manner.*
zam tsis txhob mus cuag tus neeg ua ntawv foob los yog kom lwm tus neeg uas tsis yog ib tug kwv lij choj los sis yog tub ceev xwm tuaj cuag tus neeg ua ntawv foob. Kev sib cuag muaj xws li: tuaj cuag tus neeg ua ntawv foob ntawm nws tsev, chaw ua hauj lwm, chaw kawm ntawv, qhov chaw uas pej xeem neeg nyob tau, tim ntsej tim muag, hauv xov tooj, xa ntawv, siv khoom fais fab xa ntawv, los sis lwm txoj kev siv kom mus cuag tau.
- d. refrain from removing, hiding, damaging, harming, or mistreating, or disposing of, a household pet.
tso tseg tsis txhob muab tus aub hauv tsev (household pet) tshem tawm, muab zais, ua kom puas tsuaj, ua kom raug mob, los yog muab tshem mus rau lwm qhov.
- e. allow the petitioner or a family member or household member of the petitioner acting on his/her behalf to retrieve a household pet.
pub rau tus neeg ua ntawv foob los yog ib tus neeg hauv tsev neeg ntawm tus neeg ua ntawv foob los mus ua hauj lwm sawv nws cev mus koj tus aub los rau nws.
- f. Other: *[List other specific behavior the petitioner wants the respondent to stop doing]*
Lwm yam: [Teev cov yeeb yam uas tus neeg ua ntawv foob xav kom tus neeg raug foob tso tseg txhob ua ntxiv lawm]

3. If the Temporary Restraining Order is denied, the petitioner asks the court to schedule an Injunction hearing.
Yog hais tias tsis kam lees ua daim ntawv xaaj tiv thaiv mus ib ntus, tus neeg ua ntawv foob thov kom lub tsev hais plaub teem muaj ib lub rooj sib hais muab kev txwv rau qhov no.

4. Issue an Injunction against the respondent for four years or the following shorter period: _____.
Ua ib daim ntawv txwv tawm tsam tus neeg raug foob li ntawm plaub xyoos los sis sij hawm luv zog li ntawm no:

- Order the wireless telephone service provider to transfer to the petitioner each telephone number(s) he/she or a minor child in his/her custody uses. The provider will transfer to the petitioner all financial responsibility for and right to the use of any telephone number(s) transferred. **(See CV-437 form, Wireless Telephone Service Transfer Order in Injunction Case.)**

Ua ntawv xaaj kom lub tuam txhab uas muab cov xov tooj tuav ntawm tes xa rau tus neeg ua ntawv foob txhua tus (cov) xov tooj uas nws los yog ib tus me nyuam tsis tau muaj hnuv nyoog uas nws muaj cai saib xyuas siv. Lub tuam txhab yuav xa tas nrho lub luag hauj lwm them nyiaj thiab txoj cai siv lub (cov) xov tooj rau tus neeg ua ntawv foob. (Saib daim foos CV-437, Wireless Telephone Service Transfer Order in Injunction Case.)

5. Order the Injunction, which is in effect for not more than 10 years, if the court finds a substantial risk the respondent may commit 1st or 2nd degree intentional homicide, or 1st, 2nd or 3rd degree sexual assault against the petitioner.

Ua ntawv xaaj qhov kev txwv, uas siv tau mus tsis pub tshaj 10 xyoo, yog lub tsev hais plaub pom tau tias yeeb muaj tau teeb meem txaus uas tus neeg raug foob tau ua qhov 1st los yog 2nd degree txhob txwm tua neeg, los yog qhov 1st, 2nd los yog 3rd degree yuam cai deev tus ua ntawv foob.

6. Direct the sheriff to accompany the petitioner and assist in placing the petitioner in physical possession of his/her residence, if requested.

Qhia kom tub ceev xwm koj tus neeg ua daim ntawv foob no thiab pab kom mus txog nws vaj tsev, yog hais tias thov txog.

SERVICE ON RESPONDENT

XA NTAWV RAU TUS NEEG RAUG FOOB

Before the injunction hearing, it is the petitioner's responsibility to contact the sheriff's office or other process server to verify that the documents were served and proof of service is filed with the Clerk of Circuit Court. The court will not do this for the petitioner. If available in your county, another way to verify if the documents were served is to register with VPO (VINE Protective Order) on its website at www.vinelink.com.

Ua ntej lub rooj sab laj muab kev txwv, nws yog lub luag hauj lwm ntawm tus neeg ua ntawv foob los hu rau tub ceev xwm qhov chaw ua hauj lwm los yog tus neeg uas tsis yog ua hauj lwm rau tsoom fwm mus xyuas kom paub tseeb tias tau nqa cov ntaub ntawv mus rau tus neeg raug foob lawm tiag thiab muaj ntawv pov thawj tias tau muab qhov no rau Tsev Hais Plaub Tus Neeg Khaws Ntaub Ntawv. Lub tsev hais plaub yuav tsis ua qhov hauj lwm no rau tus neeg ua ntawv foob. Yog muaj nyob hauv koj lub county, lwm txoj kev los mus xyuas kom paub tseeb tias tau muab cov ntawv xa rau tus neeg raug foob lawm tiag yog mus sau npe rau VPO (VINE Protective Order) hauv nws lub website ntawm www.vinelink.com.

If the respondent cannot be personally served with Temporary Restraining Order and Notice of Injunction Hearing: Domestic Abuse (CV-403) form, the respondent can be served by publication using Publication Notice form (CV-417) form.

Yog hais tias muab tsis tau cov ntaub ntawv Temporary Restraining Order and Notice of Injunction Hearing: Domestic Abuse (CV-403) xa mus rau tus neeg raug foob, yuav siv tau daim foos Publication Notice (CV-417) rau tus neeg raug foob.

- The petitioner must file with the court an affidavit stating that service of the respondent by the sheriff or a private process server was unsuccessful because the respondent was avoiding service by concealment or otherwise. The petitioner should get this affidavit from the sheriff or private process server.

Tus neeg ua ntawv foob yuav tsum ua ib daim ntawv mus rau tsev hais plaub hais tias kev xa ntawv rau tus neeg raug foob los ntawm tub ceev xwm los yog lwm tus uas tsis yog ua hauj lwm rau tsoom fwm ua tsis tau hauj lwm vim tus neeg raug foob tau nrhiav kev zam tsis txais kev xa ntaub ntawv uas muab zais tsis pub leej twg paub los yog lwm yam. Tus neeg ua ntawv foob yuav tsum mus muab daim ntawv no los ntawm tub ceev xwm los yog lwm tus uas tsis yog ua hauj lwm rau tsoom fwm.

- The petitioner also must send the Temporary Restraining Order and Notice of Injunction Hearing: Domestic Abuse (CV-403) form to the respondent via mail or facsimile and must provide proof of transmission (e.g. certified mail receipt, affidavit of mailing or faxing). The mailing or sending of a facsimile may be omitted if the post-office address or facsimile number cannot be ascertained with due diligence.

Tus neeg ua ntawv foob kuj tseem xa tau daim foos Temporary Restraining Order and Notice of Injunction Hearing: Domestic Abuse (CV-403) mus rau tus neeg raug foob uas yog siv tsev xa ntawv xa mus los yog fax mus thiab yuav tsum muaj ntawv pov thawj tias tau xa lawm (piv txwv, tw ntawv tau txais los ntawm tsev xa ntawv tias tau xa lawm, los yog ntawv pov thawj pom tias tau muab fax mus lawm). Kev xa ntawv los yog xa fax kuj yuav mus tsis txog yog hais tias tsis ua tib zoo ceev faj xyuas qhov chaw nyob xa ntawv los yog tus fax naj npawb kom yog.

The clerk of circuit court shall forward the Temporary Restraining Order to the sheriff and the sheriff shall assist the petitioner in serving the Temporary Restraining Order.

Tus neeg tuav ntaub ntawv ntawm tsev hais plaub yuav tsum xa daim ntawv xaaj tiv thaiv mus ib ntus mus rau tub ceev xwm thiab tub ceev xwm yuav tsum pab tus neeg ua ntawv foob xa daim ntawv xaaj tiv thaiv ib ntus mus.

* I am: [Check one] * Kuv yog: [Kos rau ib qho]

The adult Petitioner.

Tus Neeg Ua Ntawv Foob uas muaj hnuv nyoog lawm.

The guardian of Petitioner [Ward]

Tus neeg saib xyuas tus Neeg Ua Ntawv Foob [tus neeg raug pov thaiv]

found to be incompetent.

pom tias txiav txim tsis tau rau nws tus kheej.

(Must have Letters of Guardianship)

(Yuav tsum muaj cov Ntawv Muaj Cai Saib Xyuas)

DISTRIBUTION:

- Court
- Petitioner/Guardian
- Respondent
- Law Enforcement
- Other: _____

I declare under penalty of false swearing that the information I have provided is true and accurate.

Kuv cog lus raws li txoj cai tsis txhob muab lus dag tias cov lus kuv hais muaj tseeb thiab yog lawm.

▶ _____

Petitioner/Guardian
Tus Neeg Ua Ntawv Foob/Tus Saib Xyuas

Name Printed or Typed

Sau Lub Npe los sis Ntaus Lub Npe

Date / Hnuv Tim