

State of Minnesota

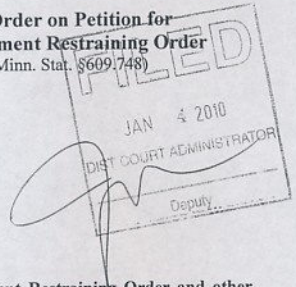
County of Hennepin

District Court

Judicial District: District
Court File Number:
Case Type: Harassment

David Hobson
Petitioner

Order on Petition for
Harassment Restraining Order
(Minn. Stat. §609.748)



For him/herself and on behalf of
Hobson

vs.

James Joseph Condit Jr.
Respondent

Based upon Petitioner's Affidavit and Petition for a Harassment Restraining Order and other information provided to the Court, THE COURT FINDS:

The petition has no merit and the matter should be dismissed.

There is is not an immediate and present danger of harassment to justify temporary relief.

There are reasonable grounds to believe that Respondent has harassed Petitioner (or minor children included in the petition) as follows:

- Physical or sexually assaulted the Petitioner;
Followed, pursued or stalked the Petitioner;
Made uninvited visits to the Petitioner;
Made harassing phone calls to the Petitioner;
Made threats to the Petitioner;
Frightened Petitioner with threatening behavior;
Broke into and entered the Petitioner's residence;
Damaged the Petitioner's property;
Stole property from the Petitioner;
Took pictures of the Petitioner without permission of the Petitioner;
Did acts repeatedly that meet the legal definition of "targeted residential picketing";
Pattern of attending public events after being notified that Respondent's presence at the events is harassing to Petitioner;
Other:

The harassment has or is intended to have a substantial adverse effect on Petitioner's safety, security, or privacy.

Petitioner requested a court hearing.

IT IS ORDERED:

The case is dismissed because the Petition lacks merit.

The request for temporary relief is denied because the petition fails to allege an immediate and present danger of harassment.

The request for temporary relief is granted and:

Respondent shall not harass Petitioner Petitioner's minor child/ren or ward(s).

The minor child/ren or wards included in this Petition are: ██████████ Hobson

Respondent shall have no contact with Petitioner Petitioner's minor child/ren or ward(s).

Respondent shall stay away from Petitioner's home at: Confidential

Respondent shall stay away from Petitioner's job site at:

Other: Respondent shall cease all contact with Petitioner and shall not furnish any information or NOTICE about David Hobson or ██████████ Nelson by any means. JED

The following conduct is a violation of this order if an Order For Relief is granted: Any contact with the protected person(s), direct or indirect, any visits to or phone calls to the protected person(s), threats or assaultive behavior to the protected person(s), damaging or stealing property belonging to the protected person(s), breaking into and entering the Petitioner's or minor child's residence, taking pictures of a protected person without permission of the Petitioner, and _____

Respondent can ask the court to change or vacate the Restraining Order by filing a *Request for Hearing* within 45 days of the date of this Order.

A hearing will be held on (date) _____ at _____ m at (address) _____.

The hearing is scheduled because: Petitioner requested a hearing Petitioner requested a restraining order for longer than 2 years and the court wants more information about the need for a longer restraining order.

Other _____

Respondent shall appear personally in Court for the hearing and explain why the requests made in the Petition should not be granted. Petitioner shall appear personally in Court for the

hearing and provide proof that the statements in the Petition are true and that Respondent's actions are harassment.

6. The Court Administrator shall send a copy of this Order to the following law enforcement agencies: Hennepin County Sheriff's Department and [REDACTED] Police Department which have authority over the residence of the Petitioner(s). Every police department and sheriff's office in Minnesota is responsible for enforcing this order.
7. If respondent is an organization, this order shall shall not apply to all members of the organization.
8. Other: _____

9. The sheriff of any county in this state shall perform the duties relating to service of this Order without charge to the petitioner.

10. It is not a violation of this order if the parties pursue or participate in voluntary mediation through court approved mediation programs. The party wanting to mediate must contact the mediation program directly to arrange it. He/she may not contact the other party directly or through friends or relatives. The mediation programs will determine if mediation is acceptable under Minnesota mediation guidelines (MN Stat 494.03 and MN Rule of Court, General Rules of Practice, Rule 114.)

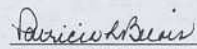
Notices

If a hearing is scheduled and respondent does not attend the hearing, a Harassment Restraining Order may be granted. Failure of respondent to appear WILL NOT be a defense to criminal charges against respondent for violation of any part of this Order. If petitioner does not attend the hearing this case may be dismissed.

A police officer shall arrest respondent without warrant and take her/him to jail if a police officer believes that respondent has violated this Restraining Order, and shall hold respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the respondent is released earlier by a judge or judicial officer.

Violation of this Restraining Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a \$1000.00 fine. Some repeat violations are gross misdemeanors and may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies and may result in a sentence of imprisonment for up to five years and/or a \$10,000 fine. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00.

Dated: _____



Judge of District Court

Distribution

_____ Certified copy or original –Return to Court Administrator with Affidavit of Service attached
_____ Copy for Petitioner(s) _____ Copy for Respondent(s)
_____ Copy for file until original returned _____ Copy for local police department
_____ Copy for Sheriff _____ Other: _____

Court File Number, if known	County and State where the court is located

3. The following court cases involve me and the Respondent in issues of child custody or parenting time:

Court File Number	County and State where the court is located

4. Respondent has harassed the victim(s) as follows:

- Check all boxes that apply and give the date and details of each incident.
- To get a Restraining order, you must describe actions that meet the legal definition of harassment in Minnesota. See the Instructions for the definition of harassment.
- One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.
- If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.

Respondent physically or sexually assaulted the victim as follows:

Respondent has followed, pursued or stalked the victim as follows:

Respondent made uninvited visits to the victim as follows:

Respondent made harassing phone calls to the victim as follows:

Respondent made threats to the victim as follows:

On 12/28/2010 - Via email from jconditjr@fuse.net

Sat, December 18, 2010 10:49 a.m.

Subject line: "In case you are thinking of trying to erase the announcement of your son's birth ... on this page."

"I already archived it and all th folders 4 different ways..."

"And they should all have your office and home address."

"Don't lift a finger - it's as good as done."

Respondent frightened the victim with threatening behavior as follows:

Respondent broke into and entered the victim's residence as follows:

Respondent damaged the victim's property as follows:

Respondent stole property from the victim as follows:

Respondent took pictures of the victim without permission as follows: