

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR
BREVARD COUNTY, FLORIDA**

CASE NO: 05-2023-DR-022344

IN RE:

ALLISON STAUFFER,
Petitioner,

and

ERINA BAILEY,
Respondent.

TEMPORARY INJUNCTION FOR PROTECTION AGAINST STALKING

The Petition for Injunction for Protection Against Stalking under Section 784.0485, Florida Statutes, and other papers filed in this Court have been reviewed. Under the laws of Florida, the Court has jurisdiction of the Petitioner and the subject matter and has jurisdiction of the Respondent upon service of the Temporary Injunction. The term Petitioner as used in this injunction includes the person on whose behalf this injunction is entered.

It is intended that this protection order meet the requirements of 18 U.S.C. Section 2265 and therefore intended that it be accorded full faith and credit by the Court of another State or Indian tribe and enforced as if it were the order of the enforcing State or of the Indian tribe.

SECTION 1. NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Stalking has been issued without notice to Respondent, the Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on **Tuesday, April 11, 2023, at 9:30am**, when the Court will consider whether to issue a Final Judgment of Injunction for Protection Against Stalking, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered. The hearing will be before **The Honorable PRESIDING INJUNCTION JUDGE**, at the **Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, Florida 32940, Courtroom 2D**. If Petitioner and/or Respondent do not appear, this temporary injunction may be

continued in force, extended, or dismissed, and/or additional orders may be granted, including entry of a permanent injunction and the imposition of court costs. All witnesses and evidence, if any, must be presented at this time. **Petitioner and Respondent will be bound by the terms of any injunction or order issued at the final hearing.**

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- a. ☐ a court reporter is provided by the Court.
- b. ☒ electronic recording only is provided by the Court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.
- c. ☐ neither electronic recording nor court reporting services are provided by the Court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

ATTN: PERSONS WITH DISABILITIES. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration at the Moore Justice Center, 2825 Judge Fran Jamieson Way, 3rd Floor, Viera, FL 32940-8006, (321) 633-2171 ext. 3, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired call 1-800-955-8771.

SECTION II: FINDINGS

The statements made under oath by Petitioner make it appear that Section 784.0485, Florida Statutes, applies to the parties, that stalking exists.

SECTION III. TEMPORARY INJUNCTION AND TERMS

This Temporary Injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. If a final order of injunction is issued, the terms of this Temporary Injunction will be extended until service of the final injunction is effected upon Respondent. This Temporary Injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this Injunction.

Willful violation of the terms of this Injunction, such as committing an act of stalking against Petitioner; going to or being within 500 feet of Petitioner's residence, place of employment, school, or other place prohibited in this injunction; knowingly and intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied; committing any other violation of this injunction through an intentional unlawful threat, word or act to do violence to Petitioner; telephoning, contacting or communicating with Petitioner, unless indirect contact through a third person is specifically allowed by this injunction; defacing or destroying Petitioner's personal property, including Petitioner's motor vehicle; or refusing to surrender firearms or ammunition if ordered to do so by the Court, constitutes a Misdemeanor of the first degree punishable as provided by Sections 775.082 and 775.083, Florida Statutes.

Any party violating this injunction may be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1 [NM] **Prohibited Actions.** Respondent shall not commit, or cause any other person to commit, any acts of stalking against Petitioner, including stalking, cyberstalking, aggravated stalking, or any criminal offense resulting in physical injury or death. Respondent shall not commit any other violation of this injunction through an intentional unlawful threat, word, or act to do violence to Petitioner.

2. [NM] **No Contact.** Respondent shall have no contact with the Petitioner unless otherwise provided in this section.

a. Unless otherwise provided herein, Respondent shall have **no** contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner, including any electronic means or use of social media. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:**

b.[NM] Petitioner's current residence {list address} CONFIDENTIAL or any residence to which Petitioner may move;

c. [NM] Petitioner's current or any subsequent place of employment {list address of current employment} 2400 HARRISON STREET, TITUSVILLE FLORIDA 32780

d. [N/A] where Petitioner attends school {list address of school} ; or

e. [N/A] the following other places (if requested by Petitioner) where Petitioner, specific members of Petitioner's family, or individuals closely associated with Petitioner, regularly frequent: ____.

f. [NM] Respondent **shall not** knowingly come within 500 feet of Petitioner's motor vehicle at any time, whether or not that vehicle is occupied.

g.[NM] Other provisions regarding contact: NO CONTACT WITH SEAN STAUFFER, GAGE STAUFFER, KENNEDY HILL RANKIN.

3. Firearms.

{Initial **all** that apply; write N/A **if does not** apply}

a. [N/A] Respondent is a state or local officer, as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency, and is not prohibited by the Court from having in his or her care, possession, or control any firearm or ammunition.

b. [NM] Respondent shall not use or possess a firearm or ammunition.

c. [NM] Respondent shall surrender any firearms and ammunition in Respondent's possession to the Brevard County Sheriff's Department.

d. [N/A] Other directives relating to firearms and ammunition: _____.

4. [NM] **Mailing Address or Designated E-Mail Address(es).** Respondent shall notify the Clerk of the Court of any change in either his or her mailing address, or designated e-mail address(es), within 10 days of the change. All further papers (excluding pleadings requiring personal service) shall be served either by mail to Respondent's last known mailing address or by e-mail to Respondent's designated e-mail address(es). Service shall be complete upon mailing or e-mailing.

5. [N/A] **Additional order(s) necessary to protect Petitioner from stalking:** _____.

6. [N/A] **Referral to Appropriate Services for Petitioner:**

Petitioner may contact the following services as needed: _____.

SECTION IV. OTHER SPECIAL PROVISIONS

{This section to be used for inclusion of local provisions approved by the Chief Judge as provided in Florida Family Law Rule 12.610.}

N/A_____.

SECTION V. DIRECTIONS TO LAW ENFORCEMENT OFFICERS IN ENFORCING THIS TEMPORARY INJUNCTION

{Unless ordered otherwise by the judge, all provisions in this injunction are considered mandatory provisions and should be interpreted as part of this injunction.}

1. The **Sheriff of Brevard County**, or any other authorized law enforcement officer, is ordered to serve this Temporary Injunction upon Respondent as soon as possible after its issuance.

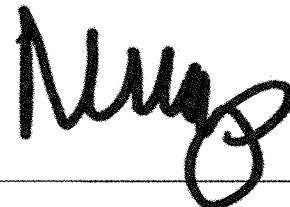
2. **This Temporary Injunction is valid and enforceable in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without a warrant pursuant to Section 901.15, Florida Statutes, for any violation of its provisions, which constitutes a criminal act under Section 784.047, Florida Statutes.

3. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.** The arresting agency shall notify the State Attorney's Office immediately after arrest.

4. **Reporting alleged violations.** If Respondent violates the terms of this injunction and has not been arrested, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation is alleged to have occurred. The Clerk shall assist Petitioner in preparing an affidavit in support of reporting the violation or direct Petitioner to the office operated by the Court that has been designated by the Chief Judge of that circuit as the central intake point for violations of injunctions for protection where Petitioner can receive assistance in the preparation of an Affidavit in Support of the violation. The affidavit shall be immediately forwarded by the office assisting Petitioner to the State Attorney of that circuit and to the judge designated by the Chief Judge as the recipient of affidavits of violations of an injunction. Procedures relating to reporting alleged violations are governed by Section 784.0487, Florida Statutes.

DATED on Wednesday, March 29, 2023, in Brevard County, Florida.

05-2023-DR-022344 03/29/2023 05:45:12 PM



Nancy Maloney, Circuit Judge
05-2023-DR-022344 03/29/2023 05:45:12 PM

COPIES TO:

Sheriff of Brevard County

Petitioner:

☐ by U.S. Mail

☐ by hand delivery in open court

☐ by email to designated email address(es)

Respondent:

☒ forwarded to sheriff for service

☐ State Attorney's Office

☐ Other:

I CERTIFY the foregoing is a true copy of the original Temporary Injunction for Protection Against Stalking as it appears on file in the office of the Clerk of the Circuit Court of the Eighteenth Judicial Circuit in and for Brevard County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF COURT

05-2023-DR-022344 03/30/2023 08:18:15 AM

Ashley Jaskiewicz, CLERK
05-2023-DR-022344 03/30/2023 08:18:15 AM

this Thursday, March 30, 2023.