

WV-130

Workplace Violence Restraining Order After Hearing

Clerk stamps date here when form is filed

FILED / ENTERED

FEB 22

By A. O'Donnell, Deputy Clerk

1 Petitioner (Employer)

a. Name: Los Rios Community College District
 Lawyer for Petitioner (if any, for this case)
 Name: Kristen M. Caprino State Bar No.: 306815
 Firm Name: Johnson Schachter & Lewis, A PLC

b. Your Address (If you have a lawyer, give your lawyer's information.)
 Address: 1545 River Park Drive, Suite 204
 City: Sacramento State: CA Zip: 95815
 Telephone: 916-921-5800 Fax: 916-921-0247
 E-Mail Address: kristen@jssl-law.com

Fill in court name and street address:

Superior Court of California, County of Sacramento
 720 9th Street
 Sacramento, CA 95814

2 Employee (Protected Person)

Full Name: [REDACTED]

Court fills in case number when form is filed.

Case Number:

34-2021-70010019

3 Respondent (Restrained Person)

Full Name: Michael Eugene Bennett

Description

Sex: M F Height: 6'0" Weight: 160 Date of Birth: [REDACTED]
 Hair Color: Black Eye Color: Brown Age: 32 Race: Black
 Home Address (if known): [REDACTED]
 City: _____ State: _____ Zip: _____
 Relationship to Employee: [REDACTED]

4 Additional Protected Persons

In addition to the student, the following family or household members or other students are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to employee
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Additional protected persons are listed at the end of this Order on Attachment 4.

5 Expiration Date

This Order, except for any award of lawyer's fees, expires at

Date: 2/18/25 Time: 12:00 a.m. p.m.

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.



Case Number: _____

6 Hearing

a. There was a hearing on (date): 2/18/22 at (time): 830 in Dept.: 1 Room: _____
(Name of judicial officer): JAMES P. ARGUELLES made the orders at the hearing.

b. These people were at the hearing:

- (1) The petitioner/employer (name): _____
- (2) The lawyer for the petitioner/employer (name): Knisten Capriño
- (3) The employee (4) The lawyer for the employee (name): _____
- (5) The respondent (6) The lawyer for the respondent (name): _____

Additional persons present are listed at the end of this Order on Attachment 6b.

c. The hearing is continued. The parties must return to court on (date): _____ at (time): _____.

To the Respondent:

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

7 Personal Conduct Orders

a. You are ordered not do the following things to the employee
 and to the other protected persons listed in (4):

- (1) Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) Commit acts of violence or make threats of violence against the person.
- (3) Follow or stalk the person during work hours or to or from the place of work.
- (4) Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- (5) Enter the person's workplace.
- (6) Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) Other (specify):

Other personal conduct orders are attached at the end of this Order on Attachment 7a(7).
Enter any campus, office or center of the Los Rios Community College District.

b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



Case Number: _____

8 Stay-Away Orders

- a. You **must** stay at least 200 yards away from (check all that apply):
- (1) The employee.
 - (2) Each other protected person listed in (4).
 - (3) The employee's workplace.
 - (4) The employee's home.
 - (5) The employee's school.
 - (6) The employee's children's school.
 - (7) The employee's children's place of child care.
 - (8) The employee's vehicle.
 - (9) Other (specify):
Any campus, office or center of the Los Rios
Community College District.
- b. This stay-away order does not prevent you from going to or from your home or place of employment.

9 No Guns or Other Firearms and Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. If you have not already done so, you must:
- (1) Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
 - (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns have been turned in, sold, or stored. (You may use form WV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)
- c. The court has received information that you own or possess a firearm.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the respondent is not required to relinquish this firearm (specify make, model, and serial number of firearm(s)): _____

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the respondent may be subject to federal prosecution for possessing or controlling a firearm.

10 Costs

You must pay the following amounts for costs to the petitioner:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Additional amounts are attached at the end of this Order on Attachment 10.

This is a Court Order.

Case Number: _____

11 Other Orders (specify):

Additional orders are attached at the end of this Order on Attachment 11.

To the Person in 1:

12 **Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (Check one):

- a. The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

<u>Name of Law Enforcement Agency</u>	<u>Address (City, State, Zip)</u>
_____	_____

Additional law enforcement agencies are listed at the end of this Order on Attachment 12.

13 **Service of Order on Respondent**

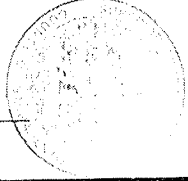
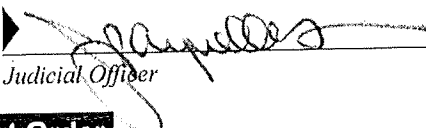
- a. The respondent personally attended the hearing. No other proof of service is needed.
- b. The respondent did not attend the hearing.
 - (1) Proof of service of form WV-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.
 - (2) The judge's orders in this form are different from the temporary restraining orders in form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.

14 **No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.

15 Number of pages attached to this Order, if any: _____

Date: 1/13/2012

 Judicial Officer

This is a Court Order.

Warning and Notice to the Respondent:**You Cannot Have Guns or Firearms**

Unless item 9d is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑨. The court will require you to prove that you did so.

Instructions for Law Enforcement**Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item ⑤ on page 1.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

This is a Court Order.

Case Number:

Clerk's Certificate



(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Workplace Violence Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date:

2/22/22

Clerk, by

A handwritten signature in black ink, appearing to read "A. O'Donnell".

, Deputy

A. O'DONNELL

This is a Court Order.