

IN THE CIRCUIT COURT OF THE 2ND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

Case No.: 2010 DR 001727
Division: Family Law

CLAUDIA DAVANT ,
Petitioner,

and

ALEX DIAZ DE LA PORTILLA ,
Respondent.

**TEMPORARY INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE
WITHOUT MINOR CHILD(REN)**

FILED
2010 MAY 21 P 5:09
CLERK OF THE CIRCUIT COURT
LEON COUNTY, FLORIDA

The Petition for Injunction for Protection Against Domestic Violence under Section 741.30, 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.

It is intended that this protection order meet the requirements of 18 U.S.C. § 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.

NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Domestic Violence has been issued without prior notice to Respondent, Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on 6/1/2010, at **8:30:00 AM**, when the Court will consider whether the Court should issue a Final Judgment of Injunction for Protection Against Domestic Violence, which would remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including, for example, such matters as who should pay the filing fees and costs, and support. The hearing will be before The Honorable **DAWN CALOCA-JOHNSON** in Courtroom **1B, 301 S. Monroe Street, Tallahassee, FL 32301**. If Petitioner and/or Respondent do not appear, this temporary injunction may be continued in force, extended, dismissed, and/or additional orders may be granted, including the imposition of court costs.

All witnesses and evidence, if any, must be presented at this time. In cases where temporary support issues have been alleged in the pleadings, each party is ordered to bring his or her financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or (c), tax return, pay stubs, and other evidence of financial income to the 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 audio tape 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. In repeat, dating, and sexual violence cases. No electronic audio tape recording or 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.

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 Administrator's Office, 301 South Monroe St., Tallahassee, FL 32301, 850-577-4400** within 2 working days of your receipt of this temporary injunction. If you are hearing or voice impaired, call **TDD 711**.

FINDINGS

The statements made under oath by Petitioner make it appear that Section 741.30, Florida Statutes, applies to the parties. It also appears that Petitioner is a victim of domestic violence by Respondent, and/or Petitioner has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic violence by Respondent, and that there is an immediate and present danger of domestic violence to Petitioner or persons lawfully with Petitioner.

TEMPORARY INJUNCTION AND TERMS

This injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. This 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.

Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to or being within 500 feet of Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying the Petitioner's personal property, refusing to surrender firearms or ammunition if ordered to do so by the court; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by Sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.
2. **No Contact.** Respondent shall have no contact with 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. 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. Contact at legal proceedings or through legal counsel constitutes an exception. Unless otherwise provided herein, Respondent shall not go to, in, or within 500 feet of:

Petitioner's current residence, 1316 CONSTITUTION PLACE
TALLAHASSEE, FL 32308, , or any residence to which Petitioner may move;

Petitioner's current or any subsequent place of employment, NSI - 150 S MONROE ST #206
TALLAHASSEE, FL, ,
or place where Petitioner attends school, , ;

or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go
often: GOVERNORS CLUB, .

Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

b. Other provisions regarding contact: _____

Firearms.

(Initial all that apply; write N/A if does not apply)

- a.) Respondent shall not use or possess a firearm or ammunition.
b.) Respondent shall surrender any firearms and ammunition in the Respondent's possession to the Leon County Sheriff's Department until further order of the court.
c. Other directives relating to firearms and ammunition: _____

NOTE: RESPONDENT IS ADVISED THAT, IF A PERMANENT INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE IS ISSUED FOLLOWING A HEARING REGARDING THIS MATTER, IN MOST CASES IT WILL BE A VIOLATION OF § 790.233, FLORIDA STATUTES, AND A FIRST DEGREE MISDEMEANOR, FOR RESPONDENT TO HAVE IN HIS OR HER CARE, CUSTODY, POSSESSION OR CONTROL ANY FIREARM OR AMMUNITION. ADDITIONALLY, IT WILL BE A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).

4. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within ten (10) days of the change. All further papers (excluding the final injunction, if entered without Respondent's being present at the hearing, and pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Fla. Fam. L. R. P.; Section 741.30, Florida Statutes.

5. **Additional order necessary to protect Petitioner from domestic violence:**

No emails or text messages.

Possess No Weapons.

No direct or indirect contact: No contact through
3rd persons other than lawyers in 09DR3940.

TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[Initial all that apply; write N/A if does not apply]

6. Possession of the Home. Petitioner () Respondent shall have temporary exclusive use and possession of the dwelling located at: 1316 CONSTITUTION PLACE TALLAHASSEE, FL 32308.

7. Transfer of Possession of the Home. A law enforcement officer with jurisdiction over the home shall accompany Petitioner () Respondent to the home, and shall place Petitioner () Respondent in possession of the home.

8. Personal Items. () Petitioner () Respondent, in the presence of a law enforcement officer, may return to the premises described above () on _____, at _____ a.m./p.m., or () At a time arranged with the law enforcement department with jurisdiction over the home, for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the home from which these items are to be retrieved shall accompany () Petitioner () Respondent to the home and stand by to insure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 10 below. The law enforcement agency shall not be responsible for storing or transporting any property.

IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.

9. Petitioner () Respondent shall not damage or remove any furnishings or fixtures from the parties' former shared premises.

10. Other: _____

TEMPORARY SUPPORT

Temporary support, if requested by Petitioner in the Petition for Injunction for Protection Against Domestic Violence, will be addressed by the Court after notice to Respondent and hearing on the matter.

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.)

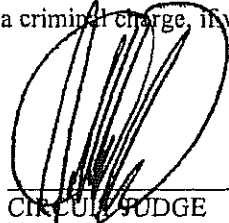
DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION

(Provisions in this injunction that do not include a line for the judge to either initial or write N/A are considered mandatory provisions and should be interpreted to be part of this injunction.)

1. The Sheriff of Leon 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 injunction is valid 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 warrant pursuant to Section 901.15, Florida Statutes, for any violation of its provisions which constitutes a criminal act under Section 741.31, 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 agent shall notify the State Attorney's Office immediately after arrest.
4. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an

arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.

ORDERED on 5/21/2010.



CIRCUIT JUDGE

Copies of this Temporary Injunction furnished to:

Sheriff of Leon County

Petitioner (or his or her attorney): ___ by U. S. Mail ___ by hand delivery in open court

Respondent: ___ forwarded to sheriff for service

Other: _____

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of Leon County, Florida, and that I have furnished copies of this order as indicated above.



CLERK OF THE CIRCUIT COURT

By: _____

Deputy Clerk

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

Case No.: 2010DR1727
Division: _____

CLAUDIA DAVANT
Petitioner,

and

ALEX DIAZ DE LA PORTILLA
Respondent.

FILED
2010 MAY 21 P 4: 27
CLERK OF THE CIRCUIT COURT
LEON COUNTY, FLORIDA

PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE

I, {full legal name} CLAUDIA DAVANT, being sworn, certify that the following statements are true:

SECTION I. PETITIONER (This section is about you. It must be completed. However, if you fear that disclosing your address to the respondent would put you in danger, you should complete and file Petitioner's Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write confidential in the space provided on this form for your address and telephone number.)

1. Petitioner's current address is: {street address} 1316 CONSTITUTION PLACE
{city, state and zip code} TALLAHASSEE, FLORIDA 32308
Telephone Number: {area code and number} 850-567-0979
Physical description of Petitioner:
Race: _____ Sex: Male _____ Female Date of Birth: JANUARY 26, 1967

2. Petitioner's attorney's name, address, and telephone number is: D. CHRISTINE THURMAN
217 N. FRANKLIN BLVD., TALLAHASSEE, FL. 32301 (850) 222-0052
(If you do not have an attorney, write none.)

SECTION II. RESPONDENT (This section is about the person you want to be protected from. It must be completed.)

1. Respondent's current address is: {street address, city, state, and zip code} 1316 CONSTITUTION PLACE, TALLAHASSEE, FLORIDA 32308
Respondent's Driver's License number is: {if known} _____
2. Respondent is: [please list all that apply]

- a. the spouse of Petitioner. Date of Marriage: SEPTEMBER 28, 2003
- b. the former spouse of Petitioner.
Date of Marriage: _____
Date of Dissolution of Marriage: _____
- c. related by blood or marriage to Petitioner.
Specify relationship: _____
- d. a person who is or was living in one home with Petitioner, as if a family.
- e. a person with whom Petitioner has a child in common, even if Petitioner and Respondent never were married or living together.

3. Petitioner has known Respondent since {date} 10 + years

4. Respondent's last known place of employment: FLORIDA SENATE
Employment address: _____
Working hours: _____

5. Physical description of Respondent:
Race: H Sex: Male Female Date of Birth: AUGUST 25, 1964
Height: 6' Weight: _____ Eye Color: BEN Hair Color: BLACK
Distinguishing marks or scars: _____
Vehicle: (make/model) _____ Color: _____ Tag Number: _____

6. Other names Respondent goes by (aliases or nicknames): _____

7. Respondent's attorney's name, address, and telephone number is: THOMAS DUGGAR,
DUGGAR & DUGGAR, P.A., 1391 TIMBERLANE ROAD, TALLAHASSEE, FL 32312
(If you do not know whether Respondent has an attorney, write unknown. If Respondent does not have an attorney, write none.) (850) 386-6124

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence against Respondent in this or any other court?
 Yes No If yes, what happened in that case? (include case number, if known)

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence against Petitioner in this or any other court?

Yes No If yes, what happened in that case? (include case number, if known)

3. Describe **any other** court case that is either going on now or that happened in the past, including a dissolution of marriage, paternity action, or child support enforcement action, **between Petitioner and Respondent** (include city, state, and case number, if known): LEON

COUNTY CIRCUIT CASE NO: 2009 DR 3440 DISSOLUTION

4. Petitioner is either a victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence because respondent has (mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or time-sharing exchange):

- a. committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- b. previously threatened, harassed, stalked, or physically abused the petitioner.
- c. attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
- d. threatened to conceal, kidnap, or harm the petitioner's child or children.
- e. intentionally injured or killed a family pet.
- f. used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- g. physically restrained the petitioner from leaving the home or calling law enforcement.
- h. a criminal history involving violence or the threat of violence (if known).
- i. another order of protection issued against him or her previously or from another jurisdiction (if known).
- j. destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.
- k. engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.

Below is a brief description of the latest act of violence or threat of violence that causes Petitioner to honestly fear imminent domestic violence by Respondent.

(Use additional sheets if necessary.)

On {date} 05/20/10, at {location} 1316 CONSTITUTION PLACE, TALLAHASSEE
the Respondent - SEE ATTACHED NARRATIVE

Please indicate here if you are attaching additional pages to continue these facts.

5. Additional Information

[all that apply]

- a. Other acts or threats of domestic violence as described on attached sheet.
- b. This or other acts of domestic violence have been previously reported to {person or agency}: TALLAHASSEE POLICE DEPT & FDLE
- c. Respondent owns, has, and/or is known to have guns or other weapons.
Describe weapon(s): VARIOUS GUNS / UNSURE
- d. Respondent has a drug problem.
- e. Respondent has an alcohol problem.
- f. Respondent has a history of mental health problems. If checked, answer the following, if known.
Has Respondent ever been the subject of a Baker Act proceeding? () Yes () No
Is Respondent supposed to take medication for mental health problems? () Yes () No
If yes, is Respondent currently taking his/her medication? () Yes () No

SECTION IV. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME (Complete this section only if you want the Court to grant you temporary exclusive use and possession of the home that you share with the Respondent.)

1. Petitioner claims the following about the home that Petitioner and Respondent share or that Petitioner left because of domestic violence:

[all that apply]

- a. Petitioner needs the exclusive use and possession of the home that the parties share at {street address} 1316 CONSTITUTION PLACE
{city, state, zip code} TALLAHASSEE, FLORIDA
- b. Petitioner cannot get another safe place to live because: NO FAMILY LOCAL

- c. If kept out of the home, Respondent has the money to get other housing or may live without money at {street address} HAS BEEN OCCASIONALLY STAYED
{city, state, zip code} ELSEWHERE - UNKNOWN / OWNS HOME &

2. The home is:

[one only]

- a. owned or rented by Petitioner and Respondent jointly.
- b. solely owned or rented by Petitioner.
- c. solely owned or rented by Respondent.

SECTION V. TEMPORARY PARENTING PLAN WITH TEMPORARY TIME-SHARING SCHEDULE FOR MINOR CHILD(REN) (Complete this section only if you are asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties which might involve prohibiting or limiting time-sharing or requiring that it be supervised by a third party. You must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren). If you are asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties which might involve prohibiting or limiting time-sharing or requiring that it be supervised by a third party, you must also complete and file a **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).)

Note: If the paternity of the minor child(ren) listed below has not been established through either marriage or court order, the Court may deny a request to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children, and/or a request for child support.

1. Petitioner is the natural parent, adoptive parent, or guardian by court order of the minor child(ren) whose name(s) and age(s) is (are) listed below.

Name	Place of Birth	Birth date	Sex
<i>NOT APPLICABLE.</i>			

2. The minor child(ren) for whom Petitioner is asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to:

[one only]

- a. ___ saw the domestic violence described in this petition happen.
- b. ___ were at the place where the domestic violence happened but did not see it.
- c. ___ were not there when the domestic violence happened this time but have seen previous acts of domestic violence by Respondent.
- d. ___ have not witnessed domestic violence by Respondent.

3. Name **any other** minor child(ren) who were there when the domestic violence happened. Include child(ren)'s name, age, sex, and parents' names. _____

NOT APPLICABLE.

4. **Temporary Parenting Plan and Temporary Time-Sharing Schedule**

[all that apply]

- a. ___ Petitioner requests that the Court provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties, as follows: _____

- b. ___ Petitioner requests that the Court order supervised exchange of the minor child(ren) or exchange through a responsible person designated by the Court. The following person is suggested as a responsible person for purposes of such exchange. Explain: _____

- c. ___ Petitioner requests that the Court limit time-sharing by Respondent with the minor child(ren). Explain: _____

d. ___ Petitioner requests that the Court prohibit time-sharing by Respondent with the minor child(ren) because Petitioner genuinely fears that Respondent imminently will abuse, remove, or hide the minor child(ren) from Petitioner. Explain: _____

e. ___ Petitioner requests that the court allow only supervised time-sharing by Respondent with the minor child(ren). Explain: _____

Supervision should be provided by a Family Visitation Center, or other (specify): _____

SECTION VI. TEMPORARY SUPPORT (Complete this section **only** if you are seeking financial support from the Respondent. You must also complete and file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), if you are seeking child support. A **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), must be filed with the court at or prior to a hearing to establish or modify child support.)

[all that apply]

1. ___ Petitioner claims a need for the money he or she is asking the Court to make Respondent pay, and that Respondent has the ability to pay that money.

2. ___ Petitioner requests that the Court order Respondent to pay the following temporary alimony to Petitioner. (Petitioner must be married to Respondent to ask for temporary alimony.) Temporary Alimony Requested \$ _____ every () week () other week () month.

3. ___ Petitioner requests that the Court order Respondent to pay the following temporary child support to Petitioner. (The respondent must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren) for the court to order the respondent to pay child support.) Temporary child support is requested in the amount of \$ _____ every () week () other week () month.

SECTION VII. INJUNCTION (This section summarizes what you are asking the Court to include in the injunction. This section must be completed.)

1. Petitioner asks the Court to enter a **TEMPORARY INJUNCTION** for protection against domestic violence that will be in place from now until the scheduled hearing in this matter.

2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a final judgment on injunction prohibiting Respondent from committing any acts of domestic violence against Petitioner **and**:
- a. prohibiting Respondent from going to or within 500 feet of any place the Petitioner lives;
 - b. prohibiting Respondent from going to or within 500 feet of the Petitioner's place(s) of employment or school; the address of Petitioner's place(s) of employment or school is: NSI - 150 S. MONROE ST. #206, TALLAHASSEE, FL
 - c. prohibiting Respondent from contacting Petitioner by mail, by telephone, through another person, or in any other manner;
 - d. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle.
 - e. prohibiting Respondent from defacing or destroying Petitioner's personal property.
- (all that apply)
- f. prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's minor child(ren) must go often (include address): GOVERNORS CLUB
 - g. granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share;
 - h. ___ granting Petitioner on a temporary basis 100% of the time sharing with the parties' minor child(ren);
 - i. ___ establishing a temporary parenting plan including a temporary time-sharing schedule for the parties' minor child(ren);
 - j. ___ granting temporary alimony for Petitioner;
 - k. ___ granting temporary child support for the minor child(ren);
 - l. ___ ordering Respondent to participate in treatment, intervention, and/or counseling services;
 - m. ___ referring Petitioner to a certified domestic violence center; and any other terms the Court deems necessary for the protection of Petitioner and/or Petitioner's child(ren), including injunctions or directives to law enforcement agencies, as provided in section 741.30, Florida Statutes.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Dated: _____

(initials)

Signature of Petitioner

STATE OF FLORIDA

COUNTY OF _____

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

____ Personally known

____ Produced identification

Type of identification produced _____

D.C. Thurman
FL Bar No: 078557
Gentry & Thurman, P.A.
217 N. Franklin Blvd.
Tallahassee, FL 32301
(850) 222-0052

EXHIBIT "A"

I am in eminent fear for my life to the point that I have fled out of town temporarily and am scared to return to my residence. I filed for divorce almost 5 months ago. At the time of filing for divorce, my Husband left the house and elected to live at another residence because of his position with the Senate and his fears about our reputation. However, since that time, he has continued to stalk me almost to the point that I am in constant, ongoing fear for my life and safety of my friends and family. He has indicated that would ensure that I did not finish this divorce alive and that he will continue to follow me until it was all over. My Husband has (or caused some one to) attempted to break into my office (police were called), my computer hacked (investigation with FDLE is underway), my house- bugged, my phone hacked, and up to last week, someone was beating on the back door of my house at almost midnight just to cause me to be totally in fear.

Further, I have been repeatedly followed and have had to hire individuals for my ongoing protection. My family and friends (in and out of Florida) have been followed by what appears to be either my Husband or people he has hired to cause great distress on them. My corporate office in Washington, DC has been threatened if they did tell him where I was staying (December, 2009).

My Husband is capable of doing anything, including great bodily harm to me, because of the divorce case and criminal investigations in which I am a witness. I have great concerns for my friends and family and most of all myself. My Husband can be extremely explosive and violent especially when under the influence of alcohol and is capable of doing anything. I am very concerned that he will also cause our animals harm because of his anger towards me and he is aware that I love them very much. Our marriage has been emotionally volatile and he has been extremely verbally abusive and on at least one occasion physical with me.

I am seeking immediately Court intervention because I am at the point where I believe that I am in grave harm and that this situation is explosive after last night. I need to return to my house but am unable to do so without the Court's intervention and protection. Tallahassee Police Department were called to my house. According to friends and witnesses, my Husband proceeded to ransack the house after the police left. I would request an immediate injunction for my protection and safety. He is capable of anything at this point. I do not have family in this area and am requesting additional security assistance. Further, he has repeatedly told me that he isn't scared of the Court or cops, and will finish this his way.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Dated: 5/21/10

[Signature]
Signature of Petitioner

CEJ
(initials)

STATE OF ~~FLORIDA~~
COUNTY OF _____

Sworn to or affirmed and signed before me on 21st by May, 2010

[Signature]
NOTARY PUBLIC or DEPUTY CLERK

D. Christine Thurm
[Print, type, or stamp commissioned name of notary or clerk.]

Personally known
 Produced Identification
Type of identification produced _____

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

Case No.: 2010OR1727
Division: _____

CLAUDIA DAVANT
Petitioner,
and

ALEX DIAZ DE LA PORTILLA
Respondent.

CLERK OF THE CIRCUIT COURT
LEON COUNTY, FLORIDA

2010 MAY 21 P 4: 27

FILED

NOTICE OF RELATED CASES

Petitioner submits this Notice of Related Cases as required by Florida Rule of Judicial Administration 2.545(d). A related case may be an open or closed civil, criminal, guardianship, domestic violence, juvenile delinquency, juvenile dependency, or domestic relations case. A case is "related" to this family law case if it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; if it affects the court's jurisdiction to proceed; if an order in the related case may conflict with an order on the same issues in the new case; or if an order in the new case may conflict with an order in the earlier litigation.

[one only]

There are no related cases.

The following are the related cases (add additional pages if necessary):

Related Case No. 1

Case Name(s): DAVANT V DIAZ DE LA PORTILLA
Petitioner CLAUDIA DAVANT
Respondent ALEX DIAZ DE LA PORTILLA
Case No.: 2009-DR-3440 Division: FAMILY

Type of Proceeding: [all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Paternity
- Adoption

Modification/Enforcement/Contempt Proceedings

- Juvenile Dependency
- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat
- Violence Injunctions
- Mental Health
- Juvenile Delinquency
- Criminal
- Other {specify} _____

State where case was decided or is pending: Florida Other: {specify} _____
Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): SECOND JUDICIAL CIRCUIT, LEON COUNTY
Title of last Court Order/Judgment (if any): _____
Date of Court Order/Judgment (if any): _____

Relationship of cases [all that apply]:

- pending case involves same parties, children, or issues;
- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

Related Case No. 2

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Paternity
- Adoption

Modification/Enforcement/Contempt Proceedings

- Juvenile Dependency
- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat
- Violence Injunctions
- Mental Health
- Juvenile Delinquency
- Criminal
- Other {specify} _____

State where case was decided or is pending: _____ Florida _____ Other: {specify} _____

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): _____

Title of last Court Order/Judgment (if any): _____

Date of Court Order/Judgment (if any): _____

Relationship of cases [all that apply]:

- pending case involves same parties, children, or issues;
- may affect court's jurisdiction;
- order in related case may conflict with an order in this case;
- order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: _____

Related Case No. 3

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case No.: _____ Division: _____

Type of Proceeding: [all that apply]

- Dissolution of Marriage
- Custody
- Child Support
- Paternity
- Adoption

Modification/Enforcement/Contempt Proceedings

- Juvenile Dependency
- Juvenile Delinquency

- Termination of Parental Rights
- Domestic/Sexual/Dating/Repeat
- Violence Injunctions
- Mental Health
- Criminal
- Other (specify) _____

State where case was decided or is pending: Florida Other: (specify) _____
 Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): _____
 Title of last Court Order/Judgment (if any): _____
 Date of Court Order/Judgment (if any): _____

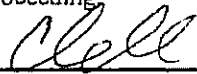
Relationship of cases [all that apply]:
 pending case involves same parties, children, or issues;
 may affect court's jurisdiction;
 order in related case may conflict with an order in this case;
 order in this case may conflict with previous order in related case.
 Statement as to the relationship of the cases: _____

1. [one only]
 I do not request coordination of litigation in any of the cases listed above.
 I do request coordination of the following cases: _____

2. [all that apply]
 Assignment to one judge
 Coordination of existing cases
 will conserve judicial resources and promote an efficient determination of these cases
 because: _____

3. The Petitioner acknowledges a continuing duty to inform the court of any cases in this or any other state that could affect the current proceeding.

Dated: 5-21-10



 Petitioner's Signature
 Printed Name: CLAUDIA DAVANT
 Address: 1316 CONSTITUTION PLACE
 City, State, Zip: JACK FL 32309
 Telephone Number: 567.0979
 Fax Number: _____

CERTIFICATE OF SERVICE

I CERTIFY that I delivered a copy of this Notice of Related Cases to the _____
County Sheriff's Department or a certified process server for service on the Respondent, and [one only] (mailed (hand delivered a copy to ({name} _____,
who is the [all that apply] (judge assigned to new case), (chief judge or family law
administrative judge, ({name} _____, a party to the related
case, ({name} _____, a party to the related case on {date} _____.

Petitioner/Attorney for Petitioner

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in all blanks]

I, {full legal name and trade name of nonlawyer} CLAUDIA DAVANT, COLIN TRASE,
a nonlawyer, located at {street} 217 N. FRANKLIN BLVD., {city} JACK,
{state} FL, {phone} 772-0052 helped {name} CLAUDIA DAVANT,
who is the Petitioner, fill out this form.

RESPONDENT INFORMATION SHEET

The following information is REQUIRED to help the Sheriff's Office in serving the Respondent as soon as possible. It may also alert the deputy to any potential danger that might be encountered while attempting to serve this Injunction. PLEASE PRINT NEATLY.

Court Case Number: 2010DR1727

The following information pertains to the party against whom the Injunction is against (RESPONDENT):

Respondent's Name: ALEX DIAZ DE LA POETILLA
Alias/Nick Names:
Home Address: 1316 CONSTITUTION PLACE TALL FL 32308
Place of Employment: FLORIDA SENATE
Time Usually Home: am/pm Work Hours: am/pm
Home Ph # Work Ph # Cell Ph # 567-0930
Date of Birth: Aug 25, 1964 Race: H Sex: M Hgt: 6' Wgt: 195 Hair: BLACK Eyes: BROWN
Language Spoken:
Vehicle Year: Vehicle Make: BMW/LEXUS Vehicle Model:
Vehicle Color: BLACK Vehicle License Plate: State:

Does RESPONDENT have any visible scars or tattoos? NO
If we cannot locate the RESPONDENT at home or work, can you suggest other locations we may try? (Relatives, Friends, addresses, hangouts, etc.)

Is the RESPONDENT currently or in the past been under the care of a Mental Health Physician: Yes No [checked] If yes, please list any known diagnoses and medications:
Does the RESPONDENT own any weapons? Yes [checked] No Type? HAND GUNS
Does the RESPONDENT have Military or Specialized Training with Explosives or Weapons: Yes No [checked] If yes, please list any known:

The Sheriff's Office must have the following information on you, the PETITIONER in order to enter the injunction in the Florida National Crime Information Computer system. We also need this information to contact you in the event we are unable to serve the injunction and need assistance with the information listed above. This information will not be provided to the RESPONDENT. Any of the following six questions that apply MUST be checked:

Is the RESPONDENT the PETITIONER'S spouse or former spouse? [checked] Yes No
If unmarried, do the RESPONDENT and PETITIONER have any children in common? Yes No
Is the PETITIONER the child or step-child of the RESPONDENT? Yes [checked] No
Is the PETITIONER and RESPONDENT currently or have they formerly cohabitated? [checked] Yes No
Is the PETITIONER and RESPONDENT in a same sex cohabitating relationship? Yes [checked] No
Minor Children are in the custody of the: N/A Petitioner Respondent

Petitioner's Name: CLAUDIA DAVANT
Address: 1316 CONSTITUTION PLACE TALL FL 32308
Home Ph # Work Ph # Cell Ph # 567-0979
Date of Birth: JAN 26, 1967 Race: W Sex: F Hgt: 5'8 Wgt: 140 Hair: BR Eyes: BR
Language Spoken:

OFFICE USE ONLY

RESPONDENT REMOVED FROM SHARED RESIDENCE RESPONDENT OUT OF COUNTY

RESPONDENT CURRENTLY IN JAIL (POD #) RESPONDENT CURRENTLY OUT OF TOWN