

PETITION FOR PROTECTIVE ORDER	District Court of <u>Muskogee</u> County State of Oklahoma																																			
	Case No. PO-20 <u>17-15-</u> Court Phone Number [REDACTED]																																			
Petitioner <u>Clayton Stewart Sheffield</u> First Middle Last and/or on behalf of minor family member(s) <u>Jillian Sheffield</u>	Additional Petitioner Information Name(s) and age(s) of minor family member(s) _____ _____ _____																																			
-VS- Defendant <u>Charles Standly Pearson</u> First Middle Last Relationship to Petitioner: <u>Mom's boyfriend</u> Defendant's Address (Street address, City, State, Zip Code) [REDACTED]	Defendant Identifiers <table border="1"><tr><td>SEX</td><td>RACE</td><td>DOB</td><td>HT</td><td>WT</td></tr><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td>EYES</td><td>HAIR</td><td colspan="3">DISTINGUISHING FEATURES</td></tr><tr><td> </td><td> </td><td colspan="3"> </td></tr><tr><td colspan="2">DRIVERS LICENSE #</td><td>STATE</td><td colspan="2">EXPIRES</td></tr><tr><td colspan="2"> </td><td> </td><td colspan="2"> </td></tr><tr><td colspan="5">Other </td></tr></table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	DISTINGUISHING FEATURES								DRIVERS LICENSE #		STATE	EXPIRES							Other 				
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(Clerk's File Stamp Below)

Petitioner, being sworn, states:

1. Petitioner's Relationship to the Defendant

INSTRUCTION: Check all boxes that apply to the relationship between Petitioner and Defendant

- | | |
|---|--|
| ☐ Married | ☐ Divorced |
| ☐ Parent & Child | ☐ Persons Related by Blood |
| ☐ Persons Related by Marriage | ☐ Present Spouse of an Ex-Spouse |
| ☒ Persons Living Same Household | ☐ Formerly Living in Same Household |
| ☐ Biological Parents of Same Child | ☐ Persons in a Previous Dating Relationship |
| ☐ Victim of Rape | |

* If you do not meet one of the above relationship tests then a protective order is only available if you are a victim of Stalking. Under the Protection from Domestic Abuse Act, "Stalking" means harassing, malicious, and repeated

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COUNTY OF MUSKOGEE
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following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to: (a.) following or appearing within the sight of that individual, (b.) approaching or confronting that individual in a public place or on private property, (c.) appearing at the workplace or residence of that individual, (d.) entering onto or remaining on property owned, leased, or occupied by that individual, (e.) contacting that individual by telephone, (f.) sending mail or electronic communications to that individual, or (g.) placing an object on, or delivering an object to, property owned, leased or occupied by that individual; 22 O.S. §60.1(2). If you are seeking a protective order as a victim of Stalking, and you do not meet one of the above relationship tests, you must have filed a complaint against the defendant with the proper law enforcement agency before filing this Petition (a copy of the complaint must be attached or provided at the hearing).

☐ Victim of Stalking

2. Statement of Jurisdiction

INSTRUCTION: Check all that apply

- ☒ Petitioner is a resident of the county wherein this Petition is filed.
- ☒ Defendant is a resident of the county wherein this Petition is filed.
- ☒ The domestic abuse occurred in the county wherein this Petition is filed.

3. Actions of the Defendant

INSTRUCTION: Check and complete one or more of the following. Fill in the blank lines of checked items.

☐ The Defendant has caused or attempted to cause physical harm to: _____ (Name(s))

☒ The Defendant has threatened* imminent physical harm to: Clayton
Sheffield (Name(s))

* According to 22 O.S. §60.1(1), "Threat" means a threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor, or minor child who are family or household members or who are or were in a dating relationship.

☒ The Defendant has harassed* Same person (Name(s))

* According to 22 O.S. §60.1(3), "Harassment" means a knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial distress to the person. "Harassment" shall include, but not be limited to, harassing or obscene telephone calls in violation of 21 O.S. §1172 and fear of death or bodily injury.

☐ The Defendant has stalked* _____ (Name(s))

*If the Petitioner is a victim of stalking, but is not a family or household member or an individual who is or has been in a dating relationship with the Defendant, you must file a complaint against the Defendant with the proper law enforcement agency before filing a petition for a protective order with the District Court. The Petitioner shall attach a copy of the complaint to the petition or present the complaint to the court at the time of the hearing. (See definition of "stalking" in section 1, above)

4. Description of Incident(s)

The incident(s) which caused the filing of the petition occurred on or about _____ (Date(s))

Describe what happened, when and where the event(s) occurred. List all actions or behaviors you intend to present to the Court at the hearing.

ATTACH ADDITIONAL PAGES IF NECESSARY

5. Type of Order Requested

INSTRUCTION: Check either A or B

☐ A. Petitioner does not request an Emergency Ex Parte Protective Order but does request the following relief, checked below, after notice and hearing, in a Final Order;

OR

☒ B. Petitioner does request an Emergency Ex Parte Order because it is necessary to protect the petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment (22 O.S. §60.3). Petitioner requests the following relief, checked below, in the Ex Parte Order and, after notice and hearing, requests the same relief in a Final Order.

RELIEF REQUESTED

INSTRUCTION: Check EACH item which you are requesting from the Court

☒ 1. Defendant should be prohibited from attempting or having ANY CONTACT whatsoever with the Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court.

☒ 2. Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.

☒ 3. Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.

Oklahoma, on or before the 17th day of January, 2017 at 17:50
a.m./p.m., and take no action to change utilities or telephone service.

☐ 5. The Court should order Law Enforcement Officers to accompany the Defendant to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises, and the Court should further order Defendant NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.

☐ 6. The Court should Order Law Enforcement Officers to accompany the **Petitioner** (i.e. provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects, and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

Oklahoma.

☐ 7. Order Defendant, who is a minor, to leave the residence located at

(address, city, state) by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to 10A O.S. §2-2-101(A).

Circle Age of Minor Defendant: 13 14 15 16 17

☐ 8. There is an existing child visitation order and the Court should suspend or modify child visitation to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody order. 22 O.S. §60.4(1)(1).

☐ 9. The Defendant should be ordered to obtain domestic abuse counseling or treatment. 22 O.S. §60.4(C)(1) and (E)(1).

☐ 10. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Petitioner.

☐ 11. Pursuant to 22 O.S. §60.17, Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device pursuant to 22 O.S. §60.17, and costs of the GPS device and monitoring should be paid by Defendant.

- ☐ 12. Defendant should immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license to _____.
- ☒ 13. The Defendant should be ordered to pay the court costs and service of process fees (pursuant to 22 O.S. §60.2(C)(1), no fees or costs shall be charged to the petitioner except if the Court finds this petition has been filed frivolously).
- ☐ 14. The Defendant should be ordered to pay the Petitioner's attorney's fees in the amount of \$_____.

PETITIONER REQUESTS THE COURT TO ORDER THE FOLLOWING ADDITIONAL RELIEF:

6. Warnings To Petitioner:

- A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. Pursuant to 21 O.S. §§500 and 504, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.
- B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff pursuant to 22 O.S. §60.2 (C)(2).
- C. It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to 22 O.S. §60.4(H).

7. Sworn Statement/Affirmation of Truth

Petitioner, being first duly sworn on oath states: I have read the above and foregoing document, understand the meaning thereof, and declare, under penalty of perjury, that the facts and statements contained herein are true to the best of my knowledge and belief.

Clyde Sheffield
PETITIONER

~~PETITIONER~~

Subscribed and sworn to before me this 1 day of

20

~~Deputy Court Clerk Judge or Notary~~

Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

Name of Agency or Agencies (use additional pages if necessary)

MUSKOGEE COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT



Date: 1-17-17 Time: 947 Case # _____

First, Middle, Last Name: Clayton Stewart Sheffield

DOB: 10/24/96 SSN: _____

Mailing Address: _____

City/State: Muskogee, OK Zip: 74403

Physical Address: _____

City/State: Muskogee, OK Zip: 74403 E-Mail: _____

Phone (H/W): _____ (Cell): _____

do hereby make the following statement to the undersigned, they having identified themselves as a police officer or representative of the Muskogee County Sheriff's Office, knowing that I may have an attorney in my behalf present and that I do not have to make a statement nor incriminate myself in any manner. I make this statement voluntarily, of my own free will, knowing that such a statement may later be used against me in any court of law, and I declare that this statement is made without any threat, coercion, offer of benefit, favor or offer of favor, leniency or offer of leniency by any person or persons whomever.

over, Came home last night from grandparents. Went upstairs for 15/30 minutes then heard Charles Pearson get loud then start breaking valuable items of my families. examples China hutch, back storm door, ran m ping pong table damaged, threw a rock at my window and broke it today. Came upstairs last night after he was breaking items, he started to chest bump everyone using his weight against us. Got in my sisters face, my face, my friends face saying he'll fight us. This is not the first time he has gotten violent and raged out in the home breaking items of ours. Verbaly abusing everyone in the home. I've known him to hit my mother in other incidents. He slapped her in the back of the head the last time he left the property which was th

I have read this statement consisting of 2 page(s) and I am aware that according to Oklahoma State Statute 21-589 that making a false report of a crime is a misdemeanor punishable by a \$500.00 fine and/or 90 days of imprisonment.

I certify the facts therein are true and correct to the best of my knowledge.

Signature: Clayton Sheffield

Date: 1/17/17

Deputy: _____

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MUSKOGEE COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT



Date: _____ Time: _____ Case # _____

First, Middle, Last Name: _____

DOB: _____ SSN: _____

Mailing Address: _____

City/State: _____ Zip: _____

Physical Address: _____

City/State: _____ Zip: _____ E-Mail: _____

Phone (H/W): _____ (Cell): _____

do hereby make the following statement to the undersigned, they having identified themselves as a police officer or representative of the Muskogee County Sheriff's Office, knowing that I may have an attorney in my behalf present and that I do not have to make a statement nor incriminate myself in any manner. I make this statement voluntarily, of my own free will, knowing that such a statement may later be used against me in any court of law, and I declare that this statement is made without any threat, coercion, offer of benefit, favor or offer of favor, leniency or offer of leniency by any person or persons whomever.

Morning. Prior to him hitting my mom he said "I need to whopp somebody's ass or have mine whopped!" Then charged us all like he was going to strike us but ended leaving. I fear what he may do next or what he may cause me to do if he shows up making threats to beat us up again. I'm a Cancer patient undergoing chemo so I don't have the strength nor time to worry about him coming back although the night and harming my mom, sister, friend, and me. He just snaps and nobody can calm him down. He just breaks items and if anyone gets in his way he uses his size against us to push us around. I don't want him coming back because in my opinion he doesn't have very good self-control since election. This isn't ^{the} first time this kinda stuff has happened and it won't be the last if he's allowed to come back to this residents. He's unstable. Needs help that we can give

I have read this statement consisting of _____ page(s) and I am aware that according to Oklahoma State Statute 21-589 that making a false report of

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Signature: Clayton Sheffield

Date: 1/17/17

Deputy: _____

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