

_____,
Petitioner, Case No. _____

_____,
Additional Petitioner/Minor Child(ren),

**PETITION AND
AFFIDAVIT TO OBTAIN
DOMESTIC ABUSE
PROTECTION ORDER**

_____,
Additional Petitioner/Minor Child(ren),
vs.

_____,
Respondent.

1. I, _____, am petitioning for a domestic abuse protection order pursuant to [Neb. Rev. Stat. § 42-924](#). I am filing this petition on behalf of: (please check one)

Myself. I am a victim of domestic abuse.

Myself and additional petitioner(s) who are victims of domestic abuse and whose name(s) is/are shown after mine in the caption of this petition.

My relationship to the additional petitioner(s)/minor child(ren) is/are:

custodial parent, guardian, other: _____.

Only on behalf of the additional petitioner(s) who are in fear of domestic abuse and whose name(s) is/are shown after mine in the caption of this petition.

My relationship to the additional petitioner(s)/minor child(ren) is/are:

custodial parent, guardian, other: _____.

AND:

I am 19 or older or legally emancipated **OR**

I am a minor and _____ years of age.

I do not speak English. The language that I speak is: _____.

2. Check Only One:

I have received address protection from the Secretary of State under the Address Confidentiality Program. (Service of any court process shall be made by mailing two copies of the process to the Office of Secretary of State, Address Confidentiality Program, Suite 2300, State Capitol Building, Lincoln, NE, 68509)

I am living at a safe house or shelter for my own protection. Pursuant to [Neb. Rev. Stat. § 29-4303](#), I cannot identify the name, address, location or phone number of the facility.

My address is

(Street or Route/Box) (City) (State) (ZIP code)

Mailing address (if different)

(Street or Route/Box) (City) (State) (ZIP code)

3. [Neb. Ct. Rule § 2-208](#) requires people involved in a case who are not attorneys to provide their email address or provide a reason why they cannot receive emails.

I do not have the ability to receive emails. The reason I cannot receive email is:

My email address is: _____

NOTE: By providing this email address, I acknowledge that I am aware that this information will be public record. I also understand that I will only receive email communications regarding this case from the court.

4. My relationship to the respondent is: (Check the **ONE** that best applies):

spouse (husband or wife)

former spouse

child

someone I am living with

someone I have lived with in the past

the father/ mother of one or more of my children

Not applicable because requesting only on behalf of other(s)

someone I am presently dating

someone I have dated in the past

someone related to me in the

following way:

5. I am filing this petition against the respondent whose age is: _____, and who resides at:

(Street or Route/Box) (City) (State) (ZIP code)

Mailing address (if different)

(Street or Route/Box) (City) (State) (ZIP code)

(Phone number)

The respondent does not speak English. The language that the respondent speaks is: _____.

6. The following are identifying characteristics for the respondent :

Sex: _____ Race: _____ Skin Tone: _____

Height: _____ Weight: _____ Eye Color: _____

Hair Color: _____

Driver's License #: _____ State: _____

Exp. Date: _____

Place of Birth: _____

Scars/Marks/Tattoos:

Other distinguishing features:

7. The respondent and I have **or** have not been involved in past or current court cases together. (i.e., divorce, paternity, custody, juvenile, criminal, or protection orders) If so: when, where, type of case, name of court(s), and case number(s).

8. The respondent and I are parents of the following minor child(ren).

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

I am the parent, but the respondent is not the parent, of the following minor child(ren):

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

9. I hereby ask the court to enter a protection order (mark all that apply):

prohibiting the respondent from imposing any restraint upon me or upon my liberty;

prohibiting the respondent from threatening, assaulting, molesting, or attacking me, or otherwise disturbing my peace;

prohibiting the respondent from telephoning, contacting, or otherwise communicating with me;

removing and excluding the respondent from my residence; _____

ordering the respondent to stay away from the following location(s):
(specify address, location description, and connection of place to petitioner)

(Continued on next page.)

(Continued from previous page.)

granting me temporary custody of the following minor children for _____
days (not to exceed 90 days):

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

Name: _____ Age: _____

Residence: _____

prohibiting the respondent from possessing or purchasing a firearm as
defined in [Neb. Rev. Stat. § 28-1201](#).

granting me sole possession of any household pet(s) owned, possessed,
leased, kept, or held by the petitioner, the respondent, or any family or
household member residing in the household of the petitioner or
respondent. The pet(s) I am requesting sole possession of are:

Name	Species	Description
_____	_____	_____
_____	_____	_____
_____	_____	_____

Such sole possession shall last for the duration of the protection order or
until further order of the court. Sole possession does not determine
ownership. The petitioner shall not permanently transfer, sell, or dispose
of a household pet(s) placed in the petitioner's possession without prior
court approval. Court approval shall not be required in cases where
humane euthanasia of a seriously ill or injured household pet(s) is
recommended by a licensed veterinarian.

enjoining the respondent from coming into contact with, harming, or
killing any household pet(s) owned, possessed, leased, kept, or held by the
petitioner, the respondent, or any family or household member of the
petitioner or respondent.

ordering any other relief deemed necessary to provide for the safety and welfare of me and any designated family or household member, (describe relief requested and why):

10. I request to have a **District Court Judge**, or a **County Court Judge** preside over this proceeding.(I understand this request may not be granted.).
11. For purposes of the Protection from Domestic Abuse Act, abuse means the occurrence of one or more of the following acts:
- (a) attempting to cause or intentionally and knowingly causing bodily injury;
 - (b) placing, by means of credible threat, another person in fear of bodily injury (either verbally or in writing), or;
 - (c) engaging in sexual contact or sexual penetration without consent.

The dates or approximate dates and facts of the most recent **and** the most severe incident or incident(s) of domestic abuse are as follows: (Please write a brief but detailed description of each incident. Examples might include shoves, kicks or blows inflicted, weapons used, threats made, injuries sustained, medical or hospital treatment necessary).

A. Date/Time: _____Description:

B. Date/Time: _____ Description:

C. Date/Time: _____ Description:

12. I request the court treat this Petition and Affidavit for a Domestic Abuse Protection Order as a request for a sexual assault protection order or a harassment protection order if it appears to the court, based on facts contained in this Petition and Affidavit and the evidence presented at a show cause hearing, that another type of protection order is more appropriate in this case, and the court makes such findings.

13. Additional Petitioner(s) (if needed):

Petitioner 2 (Minor Child):

Name: _____ Age: _____

Relationship to the Respondent (From list on number 4):

Residence:

The address of this Petitioner is the same as my address above.

This Petitioner's address is:

(Street or Route/Box)

(City)

(State) (ZIP code)

Petitioner 3 (Minor Child):

Name: _____ Age: _____

Relationship to the Respondent (From list on number 4):

Residence:

The address of this Petitioner is the same as my address above.

This Petitioner's address is:

(Street or Route/Box)

(City)

(State) (ZIP code)

Petitioner 4 (Minor Child):

Name: _____ Age: _____

Relationship to the Respondent (From list on number 4):

Residence:

The address of this Petitioner is the same as my address above.

This Petitioner's address is:

(Street or Route/Box)

(City)

(State) (ZIP code)

Petitioner 5 (Minor Child):

Name: _____ Age: _____

Relationship to the Respondent (From list on number 4):

_____.

Residence:

The address of this Petitioner is the same as my address above.

This Petitioner's address is:

(Street or Route/Box)

(City)

(State) (ZIP code)

Petitioner 6 (Minor Child):

Name: _____ Age: _____

Relationship to the Respondent (From list on number 4):

Residence:

The address of this Petitioner is the same as my address above.

This Petitioner's address is:

(Street or Route/Box)

(City)

(State) (ZIP code)

I hereby swear, or affirm, under penalty of perjury, the forgoing affidavit is true.

Signature of Petitioner

(Name, Firm name, and Bar Number **IF** being completed by an attorney)

**(do NOT sign UNTIL THE CLERK OF THE DISTRICT COURT OR A
NOTARY IS PRESENT AND WITNESSES YOU SIGNING)**

Subscribed and sworn before me on _____, _____

Clerk of the Court/Notary Public

(Seal)

My Commission Expires: _____