

CAUSE NO.: 360-419539-07

IN THE MATTER OF

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IN THE DISTRICT COURT

360<sup>th</sup> JUDICIAL DISTRICT

ANDREA SEDLEMEYER

TARRANT COUNTY, TEXAS

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TEMPORARY EX PARTE PROTECTIVE ORDER

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On October 11, 2012, the application of ANDREA SEDLEMEYER, Applicant, for a temporary ex parte protective order was presented to the Court.

The Court, having examined the pleadings and allegations of Applicant, finds that Applicant's sworn pleadings and allegations show that Applicant was in a dating relationship with Respondent and that—

Applicant has requested a protective order for herself and her children. RONALD J. TOYE III is subject to the continuing jurisdiction of a court of the 360<sup>th</sup> Judicial District Court of Tarrant County and EMMA SEDLEMEYER who is not subject to continuing jurisdiction in any court previously.

Applicant and Respondent had a dating relationship as defined in section 71.0021 of the Texas Family Code.

The Court finds that there is a clear and present danger of family violence unless RONALD J. TOYE III is ordered to do or refrain from doing certain acts, as shown below.

The Court finds that there is an immediate need for the following protective orders to prevent family violence and to protect Applicant and her children and that the orders are in the best interest of the Applicant and her children.

IT IS THEREFORE ORDERED that the clerk of this Court issue temporary ex parte

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protective orders as follow, and Respondent is immediately:

Prohibiting Respondent from committing family violence as defined in section 71.0021 of the Texas Family Code.

1. Prohibiting Respondent from committing family violence as defined in section 71.0021 of the Texas Family Code.
2. Prohibiting Respondent from communicating directly with ANDREA SEDLEMEYER and her children in a threatening or harassing manner.
3. Prohibiting Respondent from communicating a threat through any person to ANDREA SEDLEMEYER and her children.
4. On a finding of good cause, prohibiting Respondent from communicating in any manner with ANDREA SEDLEMEYER and her child except through Respondent's attorney or a person appointed by the Court or as necessary for the purposes of scheduling of visitation for their son or where it concerns his well-being.
5. Prohibiting Respondent from engaging in conduct directed specifically toward ANDREA SEDLEMEYER or her children, or other behavior that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass ANDREA SEDLEMEYER or her children
6. Prohibiting Respondent from going to or near the residences or places of employment or business or schools of ANDREA SEDLEMEYER or her children. Applicant requests the Court to specifically prohibit Respondent from going to or near 7113 Shadow Bend Dr., Fort Worth, Texas 76137 the residence, prohibited from going to applicants place of work, wherever Emma Sedlemeyer's day care or school may be and to specifically require Respondent to maintain a minimum distance of 1000 ft. aforementioned locations therefrom.
7. Prohibiting Respondent from possessing a firearm or ammunition unless Respondent is a peace officer, as defined by section 1.07 of the Texas Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
8. Suspending Respondent's license to carry a concealed handgun issued under section 411.177 of the Texas Government Code.
9. Requiring Respondent to complete a battering intervention and prevention program or counseling as provided by section 85.022(a) of the Texas Family Code.

The Court further finds, from Applicant's affidavit and the testimony, that Applicant resides on the premises, that Respondent committed family violence against ANDREA SEDLEMEYER committed acts that were intended by Respondent to result in physical harm, bodily injury, assault, or sexual assault or were threats that reasonably placed ANDREA SEDLEMEYER in fear of imminent physical harm, bodily injury, assault, or sexual assault, within the thirty-day period before the application was filed, and that there is a clear and present danger that Respondent is likely to commit family violence against a member of the household.

These temporary ex parte protective orders shall be effective immediately and binding on Respondent and shall continue in full force and effect for twenty days from the date this order is signed unless terminated sooner by order of this Court.

*It is ordered that nobody shall use corporal punishment on the child until further order of the Court. (nys)*  
The requirement of a bond is waived.

#### WARNING

A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH.

NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.

IT IS UNLAWFUL FOR ANY PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.

IT IS UNLAWFUL FOR ANY PERSON WHO IS SUBJECT TO A PROTECTIVE ORDER TO KNOWINGLY PURCHASE, RENT, LEASE, OR RECEIVE AS A LOAN OR GIFT FROM ANOTHER, A HANDGUN FOR THE DURATION OF THIS ORDER.

INTERSTATE VIOLATION OF THIS PROTECTIVE ORDER MAY SUBJECT RESPONDENT TO FEDERAL CRIMINAL PENALTIES. THIS PROTECTIVE ORDER IS ENFORCEABLE IN ALL FIFTY STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, AND U.S. TERRITORIES.

SIGNED on October 11, 2012 at 8:30 A.M.

  
JUDGE PRESIDING