

IN THE DISTRICT COURT OF Lincoln COUNTY  
STATE OF OKLAHOMA

Tonya Hobbs  
K.H. 3-13-96  
vs. J. 1-5-03  
Petitioner(s)

**FILED**

2009 AUG 26 PM 03:20 No. PO-09-134

Lester Hobbs  
Defendant(s)  
ANDY KIRBY, J. CLK.  
LINCOLN CO, OKLA.

**PETITION FOR PROTECTIVE ORDER**

Petitioner, being sworn, states:

1. (Check one or more)

- The Defendant has caused or attempted to cause serious physical harm to Aja Johnson, Koresa Hobbs  
Daughter Myself TONYA Hobbs
- The Defendant has threatened to kill Koresa Hobbs, Aja Johnson, Daughter
- The Defendant has harassed \_\_\_\_\_
- The Defendant has stalked \_\_\_\_\_ (If parties are not related, or not in a previous or current dating relationship, a complaint must be filed with law enforcement and a copy must be attached.)

2. The incident(s) which caused the filing of the petition occurred on or about 8-4-09 to 8-5-09  
(Dates)

(Describe what happened)(Harassment requires a pattern of conduct. Stalking requires repeated following.)

My husband has threatened to hit my Daughters in the head with a hammer and kill them. he also threatened to kill me if i left him.

(Attach additional sheet with more information, if necessary)

3. Was a weapon used in the incident? no If "yes" what kind of weapon? \_\_\_\_\_  
Are there weapons on the premises? yes If "yes" what kinds of weapons? A B.B. Gun

4. The Petitioner and additional parties are related to the Defendant as follows: (check all that apply)

- Married
- Parent & Child
- Persons Related by Marriage
- Persons Living Same Household
- Biological Parents Same Child
- Persons in a Dating Relationship
- Divorced
- Persons Related by Blood
- Present Spouse of an Ex-Spouse
- Formerly Living Same Household
- Persons in a Previous Dating Relationship
- Not Related (Stalking requires filing police complaint, with copy attached. No other relief is permitted by the Protection from Domestic Abuse Act for non-related parties.)

5. (Check and Complete A or B)

A. Petitioner does not request an Emergency Ex Parte Order but requests the relief checked below after notice and hearing.

B. Petitioner is in immediate and present danger of abuse from the Defendant and an Emergency Ex Parte Order is necessary to protect the Petitioner from serious harm. The Petitioner requests the following relief in the Ex Parte Order: (check one or more)

RELIEF REQUESTED

- Order Defendant to have no contact with Petitioner, either in person or by telephone, at any time or place.
  - Order Defendant to not abuse, threaten, injure, assault, molest, stalk, harass, or otherwise interfere with Petitioner.
  - Assume emergency jurisdiction under UCCJEA, and Order suspension of child visitation orders due to physical violence or threat of abuse by Defendant or a threat to violate a custody order by Defendant.
  - Order Defendant to not stalk the Petitioner.
  - Order Defendant to leave the residence located at \_\_\_\_\_ on or before \_\_\_\_\_ and take no action to change utilities or telephone service.
  - Order Law Enforcement Officers to accompany Defendant to the residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises.
  - Order Defendant who is a minor, to leave the residence located at \_\_\_\_\_ by \_\_\_\_\_ immediately placing Defendant in any type of care authorized for children taken into custody pursuant to 10 O.S. §7303-1.1a  
Circle Age of Minor Defendant: 13 14 15 16 17
  - Describe other relief Petitioner requests: to let me have the car for Dr. Appts.
6.  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, but neither Petitioner nor Defendant are residents of this county.
7. Petitioner requests that Defendant be ordered to pay all court costs, costs of service, photo evidence fees and attorneys' fees, if applicable.
8. **WARNING:** 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 Sections 500 and 514 of Title 21 of the Oklahoma Statutes, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.
9. 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 believed to the best of my knowledge to be the truth and nothing but the truth. I understand that I am required by Court Order to appear at the Hearing on my Petition.

PETITIONER

Subscribed and sworn to before me this 6 day of Aug 2009.

Jean N...  
Deputy Court Clerk, Judge of Probate

Defendant's Address(es) for Service

~~1234567890~~

Petitioner requests following law enforcement agencies receive copy of any protective Order entered herein:

~~1234567890~~

If address is tribal land, which tribe? \_\_\_\_\_

# EMERGENCY ORDER OF PROTECTION

**ORDER OF PROTECTION FILED** District Court of LINCOLN County  
State of Oklahoma

Emergency Order  Alias Continued Order  Amended Order  Final Order

Case No. PO- 2009-134  
Court Phone Number (405) 222-2222

**Petitioner**  
Tonya Hobbs  
First Middle Last  
and/or on behalf of minor family member(s)  
K. H. (03/13/96)

**Additional Petitioner Information**  
Name(s) and age(s) of minor family member(s)  
A. J. (01/05/03)

**-VS- Defendant(s)**  
Lester Hobbs  
First Middle Last  
Relationship to Petitioner: Married  
Defendant's Address:  
800 [redacted]  
Duncan, OK 74015

**Defendant Identifiers**

SEX	RACE	DOB	HT	WT
M	W	02/20/63	6'00"	195
EYES	HAIR	DISTINGUISHING FEATURES		
GREEN	BROWN	TATTOOS ON BOTH ARMS & CHEST		
DRIVERS LICENSE #		STATE	EXPIRES	
Other				

7c  
le. ok  
E

**CAUTION:**

(Clerk's File Stamp Below)

- Weapon Involved-Type:
- Weapon Present on Property **BB GUN**
- Unknown if Weapon Present

**THE COURT FINDS:**

That it has jurisdiction over the parties and subject matter, and the Defendant has been or will be provided with reasonable notice and opportunity to be heard. Additional findings of this Order follow on succeeding pages

**THE COURT ORDERS:**

The above named Defendant to not commit further acts or threats of abuse.

The Defendant and Petitioner must appear in the District Court of Lincoln County on the 18 day of August, 2009 at 9 AM PM before Judge Sheila G Kirk in Courtroom #       .

Additional terms of this Order follow on succeeding pages.

The terms of this Order shall be effective until August 19, 2009 at 12:00 AM PM

**WARNINGS TO DEFENDANT:**

This Order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on tribal lands (18 U.S.C. §2265). Crossing state, territorial or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. §2262).


Federal law provides penalties for possessing, transporting, shipping or receiving any firearm or ammunition (18 U.S.C. §922(g)(8)) with penalty up to \$250,000 fine and 10 years in prison.

**EX PARTE TEMPORARY EMERGENCY ORDER OF PROTECTION – Continuation, Page 2 of 3  
THE COURT FURTHER ORDERS as specifically marked in check boxes below:**

- 1.  Defendant to have **no contact** with Petitioner, either in person or by telephone, at any time or place.
- 2.  Defendant to not abuse, threaten, injure, assault, molest, stalk, harass or otherwise interfere with Petitioner and not damage or injure any property in which Petitioner has any interest.
- 3.  The Court assumes emergency jurisdiction under UCCJEA and orders suspension of child visitation orders due to physical violence or threat of abuse by Defendant or a threat to violate a custody order by Defendant.
- 4.  Defendant to not stalk the Petitioner.
- 5.  Defendant to leave and remain away from the residence located at \_\_\_\_\_ on or before \_\_\_\_\_ at \_\_\_\_\_ AM/PM, and take no action to change utilities or telephone service.
- 6.  If this Order is served at the residence to be vacated, order Law Enforcement Officers to remain at the residence until Defendant removes necessary clothing and personal effects and leaves the premises.
- 7.  Order Defendant who is a minor, to leave the residence located at \_\_\_\_\_ by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to 10 O.S. §7303-1.7a Circle Age of Minor Defendant: 13 14 15 16 17
- 8.  IT IS FURTHER ORDERED: \_\_\_\_\_

**IF YOU FAIL TO APPEAR, THIS ORDER MAY BECOME A FINAL PROTECTIVE ORDER WITHOUT FURTHER NOTICE TO YOU AND OTHER RELIEF MAY BE GRANTED.**

- 1. This Order is effective immediately.
- 2. At the hearing, the Judge may assess court costs and attorneys fees for the prevailing party.
- 3. In addition to any other penalty specified, the Court may require Defendant to undergo treatment or participate in counseling services necessary to bring about the cessation of domestic abuse against the Petitioner.
- 4. The filing or non-filing of criminal charges and the prosecution of the case shall not be determined by a person who is protected by this Order, but shall be determined by the District Attorney.
- 5. 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.
- 6. This Order shall be in effect for up to three (3) years unless extended, modified, vacated or rescinded by the Court. This Order expires on the date shown on Page 1.
- 7. A violation of this Order in Oklahoma is punishable by a fine of up to one thousand dollars (\$1,000.00) or up to one (1) year in the county jail, or by both such fine and imprisonment. A violation of this Order which causes injury shall be punishable by twenty (20) days to one (1) year in the county jail or a fine of up to five thousand dollars (\$5,000.00) or by both such fine and imprisonment. Other penalties are provided in other states and for federal violations.
- 8. Possession of a firearm or ammunition by a Defendant while this Order is in effect, may subject the Defendant to prosecution for a violation of federal law even if this order does not specifically prohibit the Defendant from possessing a firearm or ammunition.
- 9. This Order complies with the Violence Against Women Act's full faith and credit provision (18 U.S.C. §2265) and this Order is enforceable throughout Oklahoma and in all 50 states, U.S. territories, tribal lands and the District of Columbia.

Dated this 6 day of Aug 2008  
  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT