

# Restraining Order After Hearing to Stop Harassment

Clerk stamps date here when form is filed.

FILED-Joshua Tree District  
SUPERIOR COURT  
SAN BERNARDINO COUNTY

JUL 13 2007

By [Signature] Dep. Clerk

Fill in court name and street address:

Superior Court of California, County of  
San Bernardino  
San Bernardino Superior C  
6527 Whitefeather Road  
P.O. Box 6602  
Joshua Tree, CA 92252  
Joshua Tree District

Fill in case number:

Case Number:  
CIVMS 700231

## 1 Your name (person asking for protection):

DAVID JOSEPH BURACCHIO

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

62812 LA CRESCENTA DR

City: JOSHUA TREE State: CA Zip: 92252

Your telephone (optional): (760) 366-8992

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):

## 2 Name of person to be restrained:

KATHLEEN WATTERSON

### Description:

Sex: ☐ M ☒ F Height: 5' Weight: 200 Race: White  
Hair Color: Blk Eye Color: Blk Age: 60 Date of Birth: \_\_\_\_\_

## 3 Hearing

There was a hearing:

on (date): 7-13-07 at (time): 830A ☒ a.m. ☐ p.m. Dept.: M3 Rm: \_\_\_\_\_

made the orders at the hearing.

(Name of judicial officer) BERT L. SWIFT

These people were at the hearing:

- a. ☒ Plaintiff (the person in ①)  
b. ☒ Defendant (the person in ②)  
c. ☒ Plaintiff's lawyer (name): RICHARD GHAN  
d. ☐ Defendant's lawyer (name): \_\_\_\_\_

## 4 This Is a Court Order

You must obey all the orders indicated below. If you do not obey this Order, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

## 5 Expiration Date

This Order, except for an award of lawyer's fees, expires at:

(time): \_\_\_\_\_ ☐ a.m. ☐ p.m. or ☒ midnight on (date): 7-13-2008

If no date is present, this Order expires three years from the date of issuance.

**This is a Court Order.**

**Restraining Order After Hearing to Stop Harassment (CLETS)**  
(Civil Harassment)

Legal  
Solutions  
& Plus

CH-140, Page 1 of 3

Your name:

DAVID JOSEPH H. BOPACCHIO

Case Number:

CIVMS

700231

**6** ☒ **Personal Conduct Orders**

You must *not* do the following things to the people listed in **(1)** and **(11)** :

- a. ☒ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. ☒ Contact (directly or indirectly), telephone, send messages, mail or e-mail.
- c. ☒ Take any action, directly or through others, to obtain the addresses or locations of the persons in **(1)** and **(11)**. (If item c is not checked, the court has found good cause not to make this order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case does not violate these orders.

**7** ☒ **Stay-Away Order**

You must stay at least (specify): 25 yards away from:

- a. ☒ The person listed in **(1)**
- b. ☒ The people listed in **(11)**
- c. ☒ The home of the persons in **(1)** and **(11)**
- d. ☒ Jobs or workplaces of the persons in **(1)** and **(11)**
- e. ☒ Vehicle of person in **(1)**
- f. ☒ The protected children's school or child care
- g. ☒ Other (specify): near by Family Members

This stay-away order does not prevent the person in **(2)** from going to or from that person's home or place of work.

**8** **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

**9** **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use CH-145 for this.)

**10** ☐ **Other Orders** (specify):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11** ☒ **Other Protected Persons**

List of the full names of all family and household members protected by these orders:

CAROLYN E. BOPACCHIO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**

Your name: David Joseph Bonaccchio

Case Number: 700231  
CIVMS

### Instructions for the Protected Person

To the person in ① (Write the name of the person in ①): \_\_\_\_\_

⑫ ☐ **Delivery to Law Enforcement**

If the court issues restraining orders, by the close of business on the date this Order is made, you or your attorney must deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

Name of Law Enforcement Agency: \_\_\_\_\_

Address (City, State, Zip) \_\_\_\_\_

⑬ ☐ **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because the Order is based on stalking or a credible threat of violence resulting from a threat of sexual assault or stalking.

Date: 7-13-07



[Signature]  
Judicial Officer

### Warnings and Notices to the Restrained Person in ②

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑨ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

### Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an Order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

(Clerk will fill out this part)

Clerk's Certificate

[seal]

#### Clerk's Certificate

I certify that this *Restraining Order After Hearing to Stop Harassment (CLETS)* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

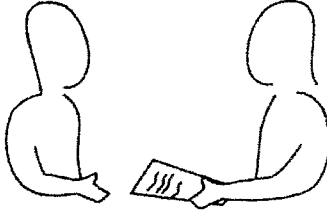
**This is a Court Order.**

- ① Name of person asking for protection:  
David Joseph Buracchio and family
- ② Name of person you want protection from:  
Kathleen Watterson

③ **Notice to Server**

The server must:

- Be over 18 years of age.
- Not be listed on the restraining order.
- Give a copy of all documents checked in ④ to the person in ②. (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in ①.



*Clerk stamps this box when form is filed.*

**FILED-Joshua Tree District**  
SUPERIOR COURT  
SAN BERNARDINO COUNTY

**JUL 16 2007**

By Lynnette Rose Dep. Clerk

Fill in court name and street address:

**Superior Court of California, County of**  
**San Bernardino**  
6527 Whitefeather Road  
P.O. Box 6602  
Joshua Tree, CA 92252  
Joshua Tree District

Fill in case number:

**Case Number:**  
**CIVMS700231**

**PROOF OF PERSONAL SERVICE**

- ④ I gave the person in ② a copy of the documents checked below:
- ☐ CH-120, *Notice of Hearing and Temporary Restraining Order (CLETS)*
  - ☐ CH-100, *Request for Orders to Stop Harassment*
  - ☐ CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
  - ☐ CH-145, *Proof of Firearms Turned In or Sold* (blank form)
  - ☐ CH-151, *How Can I Answer a Request for Orders to Stop Harassment?*
  - ☒ CH-140, *Restraining Order After Hearing to Stop Harassment*
  - ☐ Other (specify): \_\_\_\_\_
- ⑤ I personally gave copies of the documents checked above to the person in ② :
- On (date): July 15, 2007    b. At (time): 12:45    ☐ a.m.    ☒ p.m.
  - At this Address: 62761 La Crescenta
  - City: Joshua Tree    State: CA    Zip: 92252

⑥ **Server's Information**

Name: Julie M. Bryan

Address: P.O. Box 1953

City: Joshua Tree    State: CA    Zip: 92252

Telephone: (760) 366-3779

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

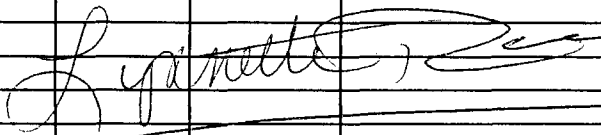
Date: July 14, 2007

Julie M. Bryan  
Type or print server's name

Julie M. Bryan  
Server to sign here

Case: **CIVMS700231** JUDGE **BERT L. SWIFT** Counsel: **R. GHAN PLTF**  
**PRO PER DEFT**

Dept: M3                                      Reporter: GARY RAGLE

EXH #	Pltf/Deft	IDENT Date	EVID Date	EXHIBIT DESCRIPTION	Verified
1	DEFT	7/13/2007	7/13/2007	PHOTO COPIES OF PHOTOS (8 Pgs)	9-13-07
					

COUNTY OF SAN BERNARDINO SUPERIOR COURT  
STATE OF CALIFORNIA  
MINUTE ORDER

CASE NO: CIVMS700231

DATE: 07/13/07

CASE TITLE: BURACCHIO -V- WATTERSON

-----  
DEPT: M3 07/13/07 TIME: 8:30  
OSC re: HARASSMENT  
-----

COMPLAINT TYPE: HAR

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JUDGE BERT L SWIFT presiding.

Clerk: Linda Earnest

Court Reporter Gary Ragle; 9848

Bailiff K. DOUGAN

-  
APPEARANCES:

Plaintiff DAVID JOSEPH BURACCHIO present

Attorney RICHARD GHAN present for PLAINTIFF.

Defendant KATHLEEN WATTERSON present

-  
PROCEEDINGS:

Action came on for HARASSMENT HEARING.

-  
DAVID JOSEPH BURACCHIO is sworn and testifies as witness for PLAINTIFF.

KATHLEEN WATTERSON is sworn and testifies as witness for DEFENDANT.

DEFENDANT'S Exhibit(s) #1 PHOTO COPIES IF PICTURES (PACKET) marked for Identification.

Exhibits entered into evidence

-  
KATHLEEN WATTERSON is enjoined and restrained from

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the

peace, keep under surveillance, or block movements.

Contact (either directly or indirectly), or telephone, or send messages or e-mail.

THE PERSON OF DAVID JOSEPH BURACCHIO

Defendant is ordered to stay at least 25 yards away from the following:

DAVID JOSEPH BURACCHIO AND OTHER PROTECTED PERSONS

Plaintiff/Petitioner's residence

Plaintiff/Petitioner's place of work.

Plaintiff/Petitioner's vehicle.

Plaintiff/Petitioner's children's school or place of child care.

You cannot possess, have, buy, or try to buy, receive or try to receive, or in anyway get a gun or firearm.

KATHLEEN WATTERSON must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 48 hours of receiving this order.

But if the restrained person was at a hearing for this order, it must be done within 24 hours of the hearing.

KATHLEEN WATTERSON must bring a receipt to the court within 72 hours of receiving this order, to prove that guns or firearms have been turned in or sold.

OTHER PROTECTED PERSONS CAROLYN E. BURACCHIO.

This order shall expire at midnight on 07/13/08

Complaint dispositioned by Judgment.

• Stage at Disposition: All other judgments before trial.

Case dispositioned by Judgment

=== MINUTE ORDER END ===

**CH-130****Proof of Personal Service**

Clerk stamps date here when form is filed.

**FILED-Joshua Tree District**  
**SUPERIOR COURT**  
**SAN BERNARDINO COUNTY**

**JUL 02 2007**

By [Signature] Dep. Clerk

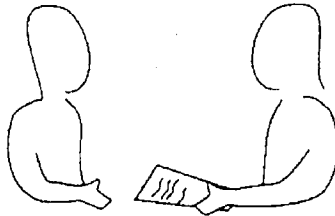
① Name of person asking for protection:  
DAVID JOSEPH BURACCHIO & FAMILY

② Name of person you want protection from:  
KATHLEEN WATTERSON

③ **Notice to Server**

The server must:

- Be over 18 years of age.
- Not be listed on the restraining order.
- Give a copy of all documents checked in ④ to the person in ②. (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in ①.



Fill in court name and street address:

**Superior Court of California, County of**  
**San Bernardino**  
**6527 Whitefeather Road**  
**P.O. Box 6602**  
**Joshua Tree, CA 92252**  
**Joshua Tree District**

Fill in case number:

Case Number:

**CIVMS 700231**

**PROOF OF PERSONAL SERVICE**

④ I gave the person in ② a copy of the documents checked below:

- a. ☒ CH-120, Notice of Hearing and Temporary Restraining Order (CLETS)
- b. ☒ CH-100, Request for Orders to Stop Harassment
- c. ☒ CH-110, Answer to Request for Orders to Stop Harassment (blank form)
- d. ☒ CH-145, Proof of Firearms Turned In or Sold (blank form)
- e. ☒ CH-151, How Can I Answer a Request for Order to Stop Harassment?
- f. ☐ CH-140, Restraining Order After Hearing to Stop Harassment
- g. ☐ Other (specify): \_\_\_\_\_

⑤ I personally gave copies of the documents checked above to the person in ②:

a. On (date): JUNE 30, 2007 b. At (time): 7:25 ☐ a.m. ☒ p.m.

c. At this Address: 62761 LA CRESCENTA DRIVE  
 City: JOSHUA TREE State: CA Zip: 92252

⑥ **Server's Information**

Name: CATHERINE L. FREEMAN  
 Address: 63071 BLAIR LANE  
 City: JOSHUA TREE State: CA Zip: 92252  
 Telephone: (760) 366-2735

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: 06/30/2007 7:27 P.M.

CATHERINE L. FREEMAN  
 Type or print server's name

[Signature]  
 Server to sign here



# Notice of Hearing and Temporary Restraining Order

Clerk stamps date here when form is filed.

**FILED**

JUN 26 2007

By [Signature] Dep. Clerk  
SAN BERNARDINO COUNTY  
SUPERIOR COURT, JOSHUA TREE DISTRICT

1 Name of person asking for protection:

DAVID JOSEPH BURACCIO

Address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

62812 LACRESCENTA DR  
JOSHUA TREE CA 92252

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your telephone number (optional): (760) 366-8992

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**  
San Bernardino  
6527 Whitefeather Road  
P.O. Box 6602  
Joshua Tree, CA 92252  
Joshua Tree District

2 Name of person to be restrained:

KATHLEEN WATTERSON

Description of that person:

Court fills in case number when form is filed.

Case Number:

**CIVMS 700231**

Sex: ☐ M ☒ F Height: 5' Weight: 200 Race: White  
Hair Color: Black Eye Color: BLK Age: 60 Date of Birth: ?  
Home Address (if known): 62761 LACRESCENTA DR  
City: JOSHUA TREE CA State: CA Zip: 92252  
Work Address (if known): ?  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

To the person in 2:

3 Notice of Hearing

A court hearing is scheduled on the request for orders against you to stop harassment:

Hearing  
Date

Date: 07-13-07 Time: 8:30AM  
Dept.: M-3 Rm.: \_\_\_\_\_

Name and address of court if different from above:

If you do not want the court to make orders against you, file Form CH-110. Then go to the hearing and tell the court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to 3 years.

4 Court Orders

The court (check a or b):

- a. ☐ Has scheduled the hearing stated in 3. No orders are issued against you at this time.  
b. ☒ Has scheduled the hearing stated in 3 and has issued the temporary orders against you specified on page 2. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

PARTIES PRESENT: ☒ PROTECTED PERSON

**This is a Court Order.**

☒ RESTRAINED PERSON

Your name: David Joseph Boracchio

### Temporary Orders Against the Restrained Person

(Write the name of the person in ②): KATHLEEN WATTERSON

The court has made the temporary orders indicated below against you. You must obey all these orders. These orders will expire on the date of the hearing listed in ③ unless they are extended by the court.

⑤ ☒ **Personal Conduct Orders**

You must **not** do the following things to the people listed in ① and ⑩:

- ☒ a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- ☒ b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- ☒ c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑩. (If item c is not checked, the court has found good cause not to make this order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this Order.

⑥ ☒ **Stay-Away Order**

You must stay at least (specify): 25 yards away from:

- a. ☒ The person listed in ①
- b. ☒ The people listed in ⑩
- c. ☒ The home of the persons in ① and ⑩
- d. ☒ Jobs or workplaces of the persons in ① and ⑩
- e. ☒ Vehicle of person in ① ☐ Vehicles of persons in ⑩
- f. ☒ The protected children's school or child care
- g. ☒ Other (specify): NEAR BY FAMILY MEMBERS.

This stay-away order does not prevent the person in ② from going to or from that person's home or place of employment.

⑦ **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

⑧ **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24-hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form CH-145 for this.)

⑨ ☐ **Other Orders (specify):** \_\_\_\_\_

**This is a Court Order.**



Case Number:

CIVMS 700231

Your name:

DAVID JOSEPH BONACCHIO

10

☒ Other Protected Persons

List of the full names of all family or household members protected by these orders:

CAROLYN BONACCHIO

Instructions for the Protected Person

To the person in (1): (Write the name of the person in (1)):

11

Service of Order on Law Enforcement

If the court issues temporary restraining orders, by the close of business on the date the orders are made, you or your lawyer should deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below.

Name of Law Enforcement Agency:

Address (City, State, Zip)

12

Service of Documents

You must have someone personally deliver to the person in (2) a copy of all the documents checked below:

- a. ☒ CH-120, Notice of Hearing and Temporary Restraining Order (CLETS) (completed and file-stamped)
- b. ☒ CH-100, Request for Orders to Stop Harassment (completed and file-stamped)
- c. ☒ CH-110, Answer to Request for Orders to Stop Harassment (blank form)
- d. ☒ CH-145, Proof of Firearms Turned In or Sold (blank form)
- e. ☒ CH-151, How Can I Answer a Request for Orders to Stop Harassment?
- f. ☐ Other (specify):

You must file with the court before the hearing a proof of service of these documents on the person in (2).

13

Time for Service (check a, b, or c)

- a. ☐ A copy of the documents listed in (12) must be served in person to the person in (2) at least 5 days before the hearing.
- b. ☐ A copy of the documents listed in (12) must be served in person to the person in (2) at least 2 days before the hearing.
- c. ☐ A copy of the documents listed in (12) must be served in person to the person in (2) at least \_\_\_\_\_ days before the hearing.

14

☐ No Fee for Filing

Filing fees are waived.

This is a Court Order.

Your name: \_\_\_\_\_

15

☐ **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because the order is based on a credible threat of violence resulting from a threat of sexual assault or on stalking.

Date: 6-25-07

Judicial Officer

**Warnings and Notices to the Restrained Person in ②****You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑧ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

**Instructions for Law Enforcement**

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.

**Requests for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

**—Clerk's Certificate—**

Clerk's Certificate  
[seal]

I certify that this *Notice of Hearing and Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

COUNTY OF SAN BERNARDINO SUPERIOR COURT  
STATE OF CALIFORNIA  
MINUTE ORDER

CASE NO: CIVMS700231

DATE: 06/28/07

CASE TITLE: BURACCHIO -V- WATTERSON

-----  
DEPT: M3 06/28/07 TIME: 8:29  
Ex Parte Hearing Re: Harassment  
-----

COMPLAINT TYPE: HAR

---

JUDGE BERT L SWIFT presiding.

Clerk: Peggy Martin

Court Reporter Gary Ragle; 9848

-

Plaintiff DAVID JOSEPH BURACCHIO present

Defendant KATHLEEN WATTERSON present

-

PROCEEDINGS:

Declaration re: 4 hour notice filed.

Witness -- DAVID BURACCHIO is sworn and examined.

Witness -- KATHLEEN WATTERSON is sworn and examined.

Ex-parte hearing is held.

Ex parte order signed by the Court.

-

HEARINGS:

Order to Show Cause re: HARASSMENT set for 07/13/07 at 8:30 in  
Department M3

Action - Complete

=== MINUTE ORDER END ===

- ① Your name (person asking for protection):

DAVID JOSEPH BURACCHIO

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

62812 LA CRESCENTA DR

City: JOSHUA TREE State: CA Zip: 92252

Your telephone number (optional): (760) 366-8992

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):

Clerk stamps date here when form is filed.

**FILED**  
JUN 26 2007

By: [Signature] Dep. Clerk  
SAN BERNARDINO COUNTY  
SUPERIOR COURT, JOSHUA TREE DISTRICT

Fill in court name and street address:

Superior Court of California, County of  
San Bernardino  
6527 Whitefeather Road  
P.O. Box 6602  
Joshua Tree, CA 92252  
Joshua Tree District

Court fills in case number when form is filed.

Case Number:

CIVMS 700231

- ② Name of person you want protection from:

KATHLEEN WATTERSON

Describe the person Sex: ☐ M ☒ F Weight: 200

Height: 5' Race: WHITE Hair Color: BLACK

Eye Color: BLK Age: 60 Date of Birth: ?

Home Address (if you know): 62761 LA CRESCENTA DR

City: JOSHUA TREE State: CA Zip: 92252

Work Address (if you know): ?

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

- ③ Besides you, who needs protection? (Family or household members)

Full name	Sex	Age	Lives with you?	How are they related to you?
<u>CAROLYN E. BURACCHIO</u>	<u>F</u>	<u>47</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>WIFE</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if you need more space. Attach a sheet of paper and write "CH-100, item 3—Describe Protected Persons" at the top of the page.

- ④ Why are you filing in this court? (Check all that apply):

☒ The person in ② lives in this county.

☐ I was hurt (physically or emotionally) by the person in ② here.

☐ Other (specify): \_\_\_\_\_

- ⑤ How do you know the person in ②? (Describe):

SHE LIVES ACROSS THE STREET FROM ME  
AND MY FAMILY

**This is not a Court Order.**

Your name: DAVID JOSEPH BURACCHIO

Case Number:

CIVMS 700231

6 Describe how the person in 2 has harassed you:

a. Date of most recent harassment: 6-25-07

b. Who was there? CHRISTINE WISE, CATHINE FREEMAN.

DAVID JUSTIN BURACCHIO

c. Did the person in 2 commit any acts of violence or threaten to commit any acts of violence against you?

☒ Yes ☐ No

If yes, describe those acts or threats: SHE HAS STATED SHE WILL HAVE PEOPLE COME AND TAKE CARE OF US ALL.

d. Did the person in 2 engage in a course of conduct that harassed you and caused substantial emotional distress? ☒ Yes ☐ No

If yes, describe: SAME AS ABOVE AND ALL MOST EVERY DAY SHE CALLS OBSCENITIES, AND CALL US FAT DRUG ADDICTS, BAD PEOPLE, BAD FAMILY. CONSTANT SURVEILLANCE.

e. Did the conduct of the person in 2 described above seriously alarm, annoy, or harass you? ☒ Yes ☐ No

☐ Check here if you need more space. Attach a sheet of paper and write "CH-100, item 6—Describe Harassment" at the top of the page.

Check the orders you want ☒

7 ☒ Personal Conduct Order

I ask the court to order the person in 2 to not do the following things to me or anyone listed in 3:

a. ☒ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.

b. ☒ Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail.

The person in 2 will also be ordered not to take any action to get the addresses or locations of any protected persons, their family members, or their caretakers unless the court finds good cause not to make the order.

8 ☒ Stay-Away Orders

I ask the court to order the person in 2 to stay at least (specify): 25 yards away from me and the people listed in 3 and the places listed below: (Check all that apply):

a. ☒ My home

d. ☒ My vehicle

b. ☒ My job or workplace

e. ☒ Other (specify): MY OTHER PROPERTIES

c. ☒ My children's school or child care

ON SAME STREET.

If the court orders the person in 2 to stay away from all the places listed above, will that person still be able to get to his or her home, school, or job? ☒ Yes ☐ No

If no, explain: \_\_\_\_\_

**This is not a Court Order.**

Your name: \_\_\_\_\_

**9** ☒ **Others to Be Protected**

Should the other people listed in **3** also be covered by the orders described above?

☒ Yes ☐ No ☐ Does not apply

If yes, explain: KATHLEEN CONSTANTLY HARASSES MY CHILDREN  
THAT LIVE IN MY OTHER PROPERTIES.

**10** **Order About Guns or Other Firearms**

I ask the court to order the person in **2** to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms and to sell or turn in any guns or firearms that he or she controls.

**11** ☐ **Other Orders**

I ask the court to order the person in **2** to (specify): \_\_\_\_\_

**12** ☒ **Temporary Orders**

Do you want the court to make orders now on the matters listed in **7**, through **11** that will last until the hearing? ☒ Yes ☐ No

If yes, explain why you need these orders right now: TO Reduce THE VERY HIGH  
LEVEL OF STRESS FROM THIS PERSON'S ACTIONS.

☐ Check here if you need more space. Attach a sheet of paper and write "CH-100, item 12--Temporary Orders" at the top of the page.

**13** **Delivery of Orders to Law Enforcement**

My lawyer or I will give copies of the orders to the following law enforcement agencies:

a. Name of Agency: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

b. Name of Agency: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**14** ☐ **Other Court Cases**

Have you ever asked any court for other restraining orders against the person in **2**? ☐ Yes ☒ No

If yes, specify the counties and case numbers if you know them: \_\_\_\_\_

**This is not a Court Order.**



Your name: DAVID JOSEPH BURACCHIO

Case Number: CIVMS 700231

**15** ☐ **Time for Service**

You must have your papers personally served on (notify) the person in **(2)** at least 5 days before the hearing, unless the court orders a different time for service. (Form CH-135 explains "What is Proof of Service?" Form CH-130 may be used to show the court that the papers have been served.) If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

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**16** ☐ **No Fee for Filing**

I ask the court to waive the filing fee because the person in **(2)** has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

**17** ☐ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshall to serve (notify) the person in **(2)** about the orders for free because that person has stalked me or threatened me with sexual assault.

(To get free service of the court's orders without paying a fee, you must fill out and file the Request and Order for Free Service of Restraining Order (Form CH-101), and if you qualify for a fee waiver, you must also fill out and file the Application for Waiver of Court Fees and Costs (Form FW-001).)

**18** ☐ **Lawyer's Fees and Costs**

I ask the court to order payment of my:

- a. ☐ Lawyer's fees  
b. ☐ Out-of-pocket expenses

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

☐ Check here if you need more space. Attach a sheet of paper and write "CH-100, item 18—Lawyer's Fees and Costs" at the top of the page.

**19** **Additional Relief**

I ask the court for additional relief as may be proper.

**20** Number of pages attached to this form, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Lawyer's name

\_\_\_\_\_  
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 6-25-07


DAVID JOSEPH BURACCHIO  
Type or print your name

[Signature]  
Sign your name

CAROLYN E. BURACCHIO

**This is not a Court Order.**

CAROLYN E. BURACCHIO

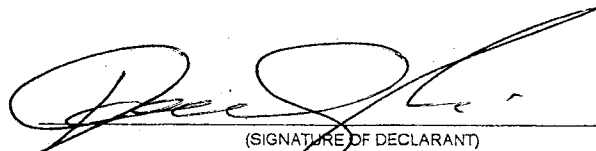
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>DAVID JOSEPH BURACCHIO</b> <b>62812 LACRESCENTA DR</b> <b>JOSHUA TREE CA 92252</b> TELEPHONE NO.: <b>760-366-8992</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		FOR COURT USE ONLY          <div style="text-align: center;"> <b>FILED</b>  <b>JUN 26 2007</b>          By  Dep. Clerk          SAN BERNARDINO COUNTY          SUPERIOR COURT, JOSHUA TREE DISTRICT       </div>	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: 6527 Whitefeather Road MAILING ADDRESS: P.O. Box 6602 CITY AND ZIP CODE: Joshua Tree, CA 92252 BRANCH NAME: Joshua Tree District			
PLAINTIFF/PETITIONER: <b>DAVID JOSEPH BURACCHIO</b> DEFENDANT/RESPONDENT: <b>KATHLEEN WATTERSON</b>			
<b>DECLARATION</b>		CASE NUMBER: <b>CIVMS 700231</b>	

She is constantly harassing our friends and family - She scares our grandchildren by yelling and taking their pictures. She watches and photographs every time we come and go - Recently I went on a trip - She watched me put my luggage in the car and then told my husband that I had left him - HA HA! My husband happens to be under a doctor's care and is on anti-anxiety medication. She uses name calling like a child - Calls people fat - meth - addicts - Lazy - Stupid and the sort - She's actually a terrorist in this neighborhood with extreme mental problems - I feel she is a threat to our family, friends and to herself.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **6-25-07**

**DAVID JOSEPH BURACCHIO**  
 (TYPE OR PRINT NAME)

  
 (SIGNATURE OF DECLARANT)

☐ Attorney for ☒ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☐ Other (Specify):

DAVID JOSEPH BURACCHIO

vs.

## CERTIFICATE OF ASSIGNMENT

KATHLEEN WATKINSON

A civil action or proceeding presented for filing must be accompanied by this certificate. If the ground is the residence of a party, name and residence shall be stated.

The undersigned declares that the above-entitled matter is filed for proceedings in the District of the Superior Court under Rule 404 of this court for the checked reason:

☐ General☐ Collection

## Nature of Action

## Ground

- ☐ 1 Adoption  
☐ 2 Conservator  
☐ 3 Contract  
☐ 4 Equity  
☐ 5 Eminent Domain  
☐ 6 Family Law  
☐ 7 Guardianship  
☒ 8 Harassment  
☐ 9 Mandate  
☐ 10 Name Change  
☐ 11 Personal Injury  
☐ 12 Personal Property  
☐ 13 Probate  
☐ 14 Prohibition  
☐ 15 Review  
☐ 16 Title to Real Property  
☐ 17 Transferred Action  
☐ 18 Unlawful Detainer  
☐ 19 Domestic Violence  
☐ 20 Other  
☐ 21 THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT.

- Petitioner resides within the district.  
 Petitioner or conservatee resides within the district.  
 Performance in the district is expressly provided for.  
 The cause of action arose within the district.  
 The property is located within the district.  
 Plaintiff, defendant, petitioner or respondent resides within the district.  
 Petitioner or ward resides within the district or has property within the district.  
 Plaintiff, defendant, petitioner or respondent resides within the district.  
 The defendant functions wholly within the district.  
 The petitioner resides within the district.  
 The injury occurred within the district.  
 The property is located within the district.  
 Decedent resided or resides within the district or had property within the district.  
 The defendant functions wholly within the district.  
 The defendant functions wholly within the district.  
 The property is located within the district.  
 The lower court is located within the district.  
 The property is located within the district.  
 The petitioner, defendant, plaintiff or respondent resides within the district.

**FILED**  
 JUN 26 2007

[Signature] Dep. Clerk  
 SAN BERNARDINO COUNTY  
 SUPERIOR COURT, JOSHUA TREE DISTRICT

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the above-designated district is:

DAVID JOSEPH BURACCHIO  
 (NAME - INDICATE TITLE OR OTHER QUALIFYING FACTOR)

62812 LACRESSENTA DR  
 ADDRESS

JOSHUA TREE  
 (CITY)

CA  
 (STATE)

92252  
 (ZIP CODE)

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was executed on

6-26-07

at

JOSHUA TREE

, California

[Signature]  
 Signature of Attorney/Party

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): <b>DAVID JOSEPH BURACCHIO</b> <b>62812 LA CRESCENTA DR</b> <b>JOSHUA TREE CA 92252</b> TELEPHONE NO.: <b>760 366-8992</b> BAR NO.: ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO</b> <input type="checkbox"/> 351 North Arrowhead Avenue, San Bernardino, CA 92415-0210 <input type="checkbox"/> 8303 Haven Avenue, Rancho Cucamonga, CA 91730 <input type="checkbox"/> 14455 Civic Drive, Victorville, CA 92392 <input type="checkbox"/> 235 East Mountain View, Barstow, CA 92311 <input checked="" type="checkbox"/> 6527 White Feather Road, Star Route 1, Box 60, Joshua Tree, CA 92252 <input type="checkbox"/> 216 Brookside Avenue, Redlands, CA 92373 <input type="checkbox"/> 17780 Arrow Highway, Fontana, CA 92335 <input type="checkbox"/> 13260 Central Avenue, Chino, CA 91710 PLAINTIFF: <b>DAVID JOSEPH BURACCHIO</b> DEFENDANT: <b>KATHLEEN WATTERSON</b>	FOR COURT USE ONLY FILED-Joshua Tree District SUPERIOR COURT SAN BERNARDINO COUNTY JUN 2 2007 By <b>Doggy Martin</b> Clerk CASE NUMBER: <b>CIVMS 700231</b>
<b>DECLARATION REGARDING EX PARTE NOTICE TO OPPOSING PARTY</b>	

**- BLACK INK ONLY -**

The undersigned hereby declares that I gave notice as follows:

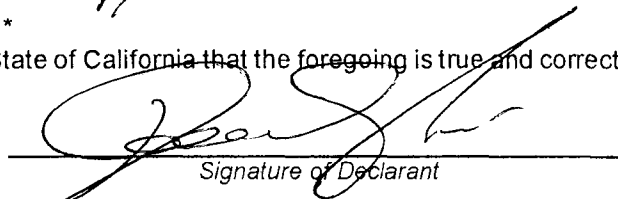
Name of Party Notified: KATHLEEN WATTERSON  
 Time of Notification: 7:51 ☐ A.M. ☒ P.M.  
 Date of Notification: 6-26-07  
 Form of Notification: ☒ Oral ☒ Written  
 Information Given: That at 8:30 ☒ A.M. ☐ P.M., on 6/28/07,  
 the moving party would appear at the Superior Court, located at:  
address above, California  
 Room/Department M3 to ask for immediate temporary relief orders  
 regarding:

☐ Custody    ☐ Temporary Guardianship    ☐ Visitation    ☒ Restraining  
☐ Residence Exclusion    ☐ Property Control  
☐ Other: \_\_\_\_\_

I have received the following response to said notice: I TOLD KATHLEEN  
THAT THERE WAS A HEARING AT 8:30 AM THURSDAY  
6-28-AM. AND LEFT PHOTO COPY IN POCKET.  
 \* \* \*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated 6-26-07

  
 Signature of Declarant

62812 LA CRESCENTA DR  
 Street Address  
JOSHUA TREE CA 92252  
 City, State, Zip Code