

DV-100

Request for Order

Clerk stamps date here when form is filed.

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
LAMOREAUX JUSTICE CENTER

JUN 04 2010

ALAN CARLSON, Clerk of the Court
E. Hirakawa
BY E. HIRAKAWA

Fill in court name and street address:

Superior Court of California, County of
ORANGE COUNTY SUPERIOR COURT
FAMILY LAW COURT OPERATIONS
341 THE CITY DRIVE
POST OFFICE BOX 14170
ORANGE, CA 92863-1570

Clerk fills in case number when form is filed.

Case Number:

040006334

1 Your name (person asking for protection):
Michelle C Wilcox

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):
430 Enclave Circle Apt 207

City: Costa Mesa State: CA Zip: 92626

Your telephone number (optional):

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

2 Name of person you want protection from:
Alexander D Wilcox

Description of that person: Sex: M F Height: 6'1"
Weight: 210 Race: Caucasian Hair Color: brown
Eye Color: green Age: 39 Date of Birth: 06/29/1970

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

Full Name	Age	Lives with you?	How are they related to you?
Grace B Wilcox	6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	daughter
		<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 Form MC-020 and write "DV-100, Item 3—Protected People" by your statement. NOTE: In any item that asks for Form MC-020, you can use an 8 1/2 x 11-inch sheet of paper instead.

4 What is your relationship to the person in (2)? (Check all that apply):

- a. We are now married or registered domestic partners.
- b. We used to be married or registered domestic partners.
- c. We live together.
- d. We used to live together.
- e. We are relatives, in-laws, or related by adoption (specify relationship):
- f. We are dating or used to date.
- g. We are engaged to be married or were engaged to be married.
- h. We are the parents together of a child or children under 18:
 Child's Name: Grace B Wilcox Date of Birth: 05/23/2004
 Child's Name: Date of Birth:
 Child's Name: Date of Birth:
- i. We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one.)

CASE ASSIGNED TO Belz

This is not a Court Order.

Case Number:

04D006334

Your name: Michelle C Wilcox

5 Other Court Cases

a. Have you and the person in (2) been involved in another court case? No Yes

If yes, where? County: Orange State: California

What are the case numbers? (If you know): 04D006334

What kind of case? (Check all that apply):

- Registered Domestic Partnership Divorce/Dissolution Parentage/Paternity Legal Separation
 Domestic Violence Criminal Juvenile Child Support Nullity Civil Harassment
 Other (specify): Child Custody/Visitation Modification

b. Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)?

No Yes *If yes, attach a copy if you have one.*

What orders do you want? Check the boxes that apply to your case.

6 Personal Conduct Orders

I ask the court to order the person in (2) not to do the following things to me or any of the people listed in (3):

a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, 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 be ordered not to take any action to get the addresses or locations of any protected person, their family members, caretakers, or guardians unless the court finds good cause not to make the order.

7 Stay-Away Order

I ask the court to order the person in (2) to stay at least 100 yards away from (check all that apply):

a. Me

e. The children's school or child care

b. The people listed in (3)

f. My vehicle

c. My home

g. Other (specify): child's extra curricular activities

d. My job or workplace

(dance studio, guitar lessons, summer camps, etc)

If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, or place of worship? Yes No (If no, explain): _____

8 Move-Out Order

I ask the court to order the person in (2) to move out from and not return to (address): _____

I have the right to live at the above address because (explain): _____

9 Child Custody, Visitation, and Child Support

I ask the court to order child custody, visitation, and/or child support. *You must fill out and attach Form DV-105.*

10 Spousal Support

You can make this request only if you are married to, or are a registered domestic partner of, the person in (2) and no spousal support order exists. To ask for spousal support, you must fill out, file, and serve Form FL-150 before your hearing.

This is not a Court Order.



Case Number:

04D006334

Your name: Michelle C Wilcox

11 **Record Unlawful Communications**
I ask for the right to record communications made to me by the person in **(2)** that violate the judge's orders.

12 **Property Control**
I ask the court to give *only* me temporary use, possession, and control of the property listed here:

13 **Animals: Possession and Stay-Away Order**
I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in **(2)** to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

I ask for the animals to be with me because: _____

14 **Debt Payment**
I ask the court to order the person in **(2)** to make these payments while the order is in effect:
 Check here if you need more space. Attach Form MC-020 and write "DV-100, Item 14—Debt Payment" by your statement.
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

15 **Property Restraint**
I am married to or have a registered domestic partnership with the person in **(2)**. I ask the judge to order that the person in **(2)** not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in **(2)** to notify me of any new or big expenses and to explain them to the court.

16 **Attorney Fees and Costs**
I ask that the person in **(2)** pay some or all of my attorney fees and costs.
You must complete and file Form FL-150, Income and Expense Declaration.

17 **Payments for Costs and Services**
I ask that the person in **(2)** pay the following:
*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*
Pay to: _____ For: _____ Amount: \$ _____
Pay to: _____ For: _____ Amount: \$ _____

18 **Batterer Intervention Program**
I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

19 **No Fee to Serve (Notify) Restrained Person**
If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

This is not a Court Order.



Case Number:

04P006339

Your name: Michelle C Wilcox

20 More Time for Notice

I need extra time to notify the person in (2) about these papers. Because of the facts explained on this form, I want the papers served up to _____ days before the date of the hearing. For help, read Form DV-210-INFO. If necessary, add additional facts: _____

21 Other Orders

What other orders are you asking for? Orders restraining respondent from using video or audio recording devices to interrogate, intimidate or otherwise harass Grace and me.

Check here if you need more space. Attach Form MC-020 and write "DV-100, Item 21—Other Orders" by your statement.

22 Guns or Other Firearms

I believe the person in (2) owns or possesses guns or firearms. Yes No I don't know

If the judge approves the order, the person in (2) will be required to sell to a gun dealer or turn in to police any guns or firearms that he or she owns or possesses.

23 Describe the most recent abuse.

a. Date of most recent abuse: 5/27/2010

b. Who was there? myself, daughter, my mother, my sister, teachers, daughter's classmates and parents.

c. What did the person in (2) do or say that made you afraid?

Please see attachment DV-100, Item 23- Recent Abuse

d. Describe any use or threatened use of guns or other weapons: _____

e. Describe any injuries: Grace had multiple scratches on her neck which were photographed by the police.

f. Did the police come? No Yes

If yes, did they give you an Emergency Protective Order? Yes No I don't know

Attach a copy if you have one.

Check here if you need more space. Use Form MC-020 and write "DV-100, Item 23—Recent Abuse" by your statement.

Check here if the person in (2) has abused you (or your children) other times. Use Form DV-101 or Form MC-020 to describe any previous abuse.

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

Date: 6/4/2010

Michelle Wilcox
Type or print your name


Sign your name

This is not a Court Order.

1 At Grace's school open house, Alex cornered us and physically blocked us from leaving the room. He
 2 ignored pleadings from Grace and me to please leave us alone, and verbally threatened that he would make
 3 a scene if we didn't comply with his requests. In front of Grace's Kindergarten classmates and their
 4 parents, he chased Grace around the classroom. She was crying and ran to me. As I was holding her, Alex
 5 violently tried to pull her out of my arms, resulting in scratches to her neck, and she let out a piercing
 6 scream. I left the room with Grace in attempt to calm her down, and Alex followed us. He physically
 7 restrained us from leaving, and screamed, "You F***ing B****", right in my face while I was holding
 8 Grace. He ripped the drink out of my hand and threw it to the ground. He again tried to grab Grace and
 9 yelled directly at her, threatening that if she didn't go with him, he would force her to attend a different
 10 school. Despite existing orders that he cannot record us, he used his cell phone to make a video recording
 11 of Grace crying, falsely narrating that I had been the one to upset her. Throughout the incident, I begged
 12 Alex to please leave us alone, but he would not allow us to go. My mom and sister came outside to offer
 13 assistance, and I asked them to call for help. My sister called the police, who responded and required Alex
 14 to leave the school. The officers photographed Grace's injuries, and recommended that I pursue a
 15 restraining order against Alex. I then spoke with the head of school, Grace's teachers and the school
 16 psychologist, who recommended counseling for Grace. It was a major disruption for for the entire school
 17 administration, on what should have been a positive end of school year event. With the support of Grace's
 18 teacher, Grace stayed home from school the next day because she was afraid Alex would come take her
 19 from school. Alex did in fact make attempts to remove Grace from school early the next day.

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(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

SHORT TITLE: DV-101, Descriptions of Abuse.

CASE NUMBER:

04D0006339

1 On May 15, 2010, Alex, Grace and I met in a restaurant to discuss Grace's summer schedule. Alex became
2 angry when we did not agree. He stood up and began shouting at both me and Grace in the middle of the
3 restaurant. Grace was very scared and clinging to my arm. Alex stormed out of the restaurant and
4 abandoned Grace there on what was supposed to be his custodial period.

5 The week of April 26th, Alex pulled Grace out of class and told her he was leaving the country, which she
6 informed me of when I picked her up from school. I tried to contact him multiple times that week to find
7 out if he would return in time for his weekend visitation, but received no response. He did not show up to
8 school to pick her up on Friday, so I took her home with me, and both called and emailed to let him know
9 that Grace was with me. A few hours later, the police arrived at my door saying Alex had filed a
10 kidnapping report. After showing the police my many communication attempts on my phone, the police
11 dismissed his claims as fraudulent.

12 Grace arrived home from visitation on or around May 9th, claiming that Alex had yelled at her calling her
13 "stupid" and a "crybaby".

14 On or around April 15th, during one of Alex's custodial periods, I was speaking to Grace on the phone.
15 She began to cry and told me she wanted to come home. Alex began screaming, ripped the phone out of
16 her hand and told her she wasn't allowed to talk to me anymore, and Alex hung up the phone on me. He
17 then refused to bring Grace home, at the end of his visitation and I spent hours negotiating with him,
18 during which he threatened to take her on a business trip with him, until he finally agreed to bring her
19 home because he had a flight to catch.

20 On or around February 15th, Alex met us at Costco for an exchange. He immediately began shouting at
21 me, and tried to grab Grace out of my arms. Grace began crying and hyperventilating, and I walked away
22 into the store to get away from him. Alex followed us and continued shouting. A store manager confronted
23 Alex and asked him to leave and said, "This little girl is clearly terrified of you". Alex was questioned and
24 ordered to leave, and Grace and I were escorted to our car by store security to ensure our safety.

25 On February 7th, Alex refused to bring Grace home at the end of his visitation, as was required by court
26 order and demanded that I come pick her up. I drove out of my way to his house and called to let Grace
27 know I was on my way. For reasons unknown to me, the petitioner refused to let me speak with her, but I
28 could hear her crying. Alex then, in front of Grace shouted that he would have me arrested if I tried to pick
29 her up, even though he was the one who had demanded I come to his residence. After much pleading and
30 being hung up on several times, Alex finally agreed to bring Grace to the Huntington Beach police station,
31 though it was now hours past her bedtime. When Grace arrived, she ran to me, looking traumatized and
32 exhausted.

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Page 1

SHORT TITLE: DV-101, Descriptions of Abuse.

CASE NUMBER:

04 D00G 334

1 On or around January 10, Alex dropped Grace off at my home and began screaming at me at the top of his
2 lungs about a garage door opener which I had lost. In front of Grace, he called me many incredibly vulgar
3 names. While I was holding her, her tried to pull her from my arms and she was scared and crying. He
4 physically blocked us from moving and held us hostage while he continued to yell for another 5 minutes or
5 so. Eventually, when a neighbor came outside, he released us, and continued shouting at me at calling me
6 names out of his car window while he drove away.

7 On December 24, Grace arrived home from a trip to Switzerland she had take with Alex. She had
8 bronchitis and was screaming in pain from a horrible rash on her genital area. She told us she'd only been
9 bathed once during the entire vacation.

10 On December 18th, Alex attempted to file a fraudulent claim of extortion against me with the police
11 department, which was rejected after I provided ample records that Alex had refused to pay me for
12 furniture he purchased from me. Officers said it was an obvious attempt to intimidate and bully me.

13 On December 17th, Alex showed up unannounced as I was dropping Grace off at school with my mom for
14 Grandparents day. He tried to grab Grace and she became scared. He began screaming and "flipped the
15 bird" at my mother in front of all the arriving children and Grandparents. Alex demanded that he be
16 allowed to take Grace. He called the police who responded and required him to leave the campus.

17 On November 17, 2009 I was in the emergency room at Hoag Hospital. Alex arrived and angry that I had
18 inconvenienced him with my hospital visit. When he learned I was being released, he grabbed Grace and
19 left the hospital, while she was screaming and crying for me. Despite it being my custodial period, Alex
20 refused to answer my calls or return Grace that night and the next day.

21 On October 26, 2009, Alex came to Grace's guitar class and began an argument with me in the parking lot.
22 He tried to pull Grace away, and made attempts to force his into my car. He then parked behind my car so
23 we were not allowed to leave for about 20 minutes.

24 On October 18th, Alex refused to bring Grace home after his visitation, and demanded that I come pick
25 her up. When I arrived at the house, Alex refused to let her leave and I could hear her screaming inside. I
26 approached the door to see if she was okay, and in front of Grace, Alex violently shoved me and slammed
27 the door in my face. Police responded and a domestic violence investigation was made.

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Page 2

1 In October 2009, I attended a co-parenting counseling session with Alex. During the session, Alex became
2 angry and in front of the counselor, violently threw his sunglasses and cell phone at the wall and stormed
3 out. The counselor told me that there was nothing he could do to help us until Alex acknowledged and got
4 help for his anger issues.

4 In September 2009, Alex came to pick up Grace at her dance class. He began yelling at me in front of
5 many children and parents, and roughly pulled Grace's arm. Grace was scared and began crying and
6 hyperventilating, to the point of vomiting.

7 In July 2009, Alex threatened Grace that if she didn't go with him on the 4th of July, even though it wasn't
8 his scheduled holiday, he would force her to change schools and she would be taken away from her mom
9 and never see her mom again.

9 Abuse has occurred on many other occasions, dating back to 2002. During our marriage, Alex choked me,
10 pushed me and spit in my face, in addition to regular verbal and emotional abuse. Prior to our marriage
11 Alex pushed me out of a car, resulting in severe bruising. Alex has a long history of and a reputation for his
12 abusive behavior and anger problems. He was arrested in the Denver airport a few years ago for abusive
13 behavior and sentenced to anger management classes.

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