

State of Minnesota

County of Hennepin

Hennepin

COPY

District Court

Judicial District: Fourth

Court File Number: 27CV06-16322

Case Type: Harassment

Petitioner(s)

vs.

Ketha Maurice ELLISON

Respondent(s)

Order Upon Petition for Harassment Restraining Order

Order for Dismissal

Denial (No immediate and present danger a Temporary Restraining Order cannot be issued. A hearing may be scheduled)

Temporary Restraining Order

(Minn. Stat. §609.748 subd 4)

Based upon Petitioner's Affidavit and Petition for a Harassment Restraining Order and other information provided to the Court, THE COURT FINDS:

- The petition has no merit and the matter should be dismissed.
There is no immediate and present danger of harassment to justify relief temporary relief.
No hearing has been requested.
A hearing has been requested.
There are reasonable grounds to believe that Respondent(s) has/have harassed Petitioner(s) as alleged in the petition:
Physically or sexually assaulted the Petitioner(s);
Followed, pursued or stalked the Petitioner(s);
Made uninvited visits to the Petitioner(s);
Made harassing phone calls to the Petitioner(s);
Made threats to the Petitioner(s);
Frightened Petitioner(s) with threatening behavior;
Called the Petitioner(s) abusive names;
Damaged the Petitioner's property;
Broke into and entered the Petitioner's residence;
Stole property from the Petitioner(s);
Took pictures of the Petitioner(s) without permission of the Petitioner(s);

Other:

IT IS ORDERED:

- The case is dismissed because the Petition lacks merit.
The request for temporary relief is:
Denied because the petition fails to allege an immediate and present danger of harassment.
Granted and:
Respondent(s) shall not harass Petitioner Petitioner(s) minor child/ren or ward(s).
Respondent(s) shall have no contact with Petitioner Petitioner(s) minor child/ren or ward(s).
Respondent(s) shall stay away from where Petitioner resides: (address)
Respondent(s) shall stay away from Petitioner's place of employment located at
Other:

3. A hearing will be held on Monday, October 23rd, 2006 at 10:30 AM at (address) 300 S. 6th St. Mall - Henn. Co. Gov. Center. Respondent shall appear personally in Court for the hearing and explain why the requests made in the Petition should not be granted.

NOTICE

The following conduct is a violation of this order if an Order For Relief is granted: Any contact with Petitioner(s), direct or indirect and including any minor children included in this Order, any visits to the Petitioner(s), any phone calls to the Petitioner(s), threats to the Petitioner(s), assaultive behavior to the Petitioner(s), calling the Petitioner(s) abusive names, damaging the Petitioner's property, breaking into and entering the Petitioner's residence, stealing property from the Petitioner(s), taking pictures of the Petitioner(s) without permission of the Petitioner(s), and _____

4. The Court Administrator shall send a copy of this Order For Relief to the following law enforcement agency(s): _____ County Sheriff's Department and _____ Police Department which has authority over the residence of the Petitioner(s). **Every police department and sheriff's office in Minnesota is responsible for enforcing this order.**
5. If respondent is an organization, this order shall shall not apply to all members of the organization.
6. Other: _____
7. This Order For Relief shall remain in effect until _____ Date (not to exceed two years) unless a hearing is requested within 45 days of the issuance of this Order.
8. The sheriff of any county in this state shall perform the duties relating to service of this Order without charge to the petitioner.
9. It is not a violation of this order if the parties pursue or participate in voluntary mediation through court appointed mediation programs such as North Hennepin and Minneapolis Mediation programs. The party wanting to set up mediation must contact the mediation program directly to arrange it. They may not contact the other party or parties themselves or through friends or relatives. The mediation programs will determine if mediation is acceptable under Minnesota mediation guidelines (MN Stat 494.03 and MN Rule of Court, General Rules of Practice, Rule 114.)

Notice to Parties

If a hearing is scheduled and Respondent(s) does/do not appear at the scheduled hearing, a Harassment Restraining Order may be granted. Failure of Respondent(s) to appear WILL NOT be a defense to criminal charges against Respondent(s) for violation of any part of this Order. If Petitioner(s) does/does not appear this case may be dismissed.

A police officer shall arrest a respondent without warrant and take them to jail if a police officer believes that a respondent has violated this Order For Relief and shall hold the respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the respondent is released earlier by a judge or judicial officer.

Violation of this Order For Relief may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a \$1000.00 fine. Some repeat violations are gross misdemeanors and may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies and may result in a sentence of imprisonment for up to five years and/or a \$10,000 fine. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00.

Dated: September 5, 2006

Blair M. Reding
Judge of District Court

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State of Minnesota	District Court
County <u>Hennepin</u>	Judicial District: <u>4th</u>
	Court File Number: <u>27CV0610322</u>
	Case Type: <u>Harassment</u>

**Petitioner's Affidavit and Petition for
Harassment Restraining Order
(Minn. Stat. §609.748)**

<p>Petitioner(s)</p> <p>Your Name and Address</p> <div style="background-color: black; height: 40px; width: 100%;"></div> <p>Date(s) of Birth: <u>2/8/73</u></p>	vs.	<p>Respondent(s)</p> <p>Name(s) and addresses of persons harassing you and/or your child (ren):</p> <p><u>Keith Maurice Ellison</u> <u>1629 Bryant Ave NO</u> <u>Minneapolis, MN 55411</u></p> <p>Date(s) of Birth: <u>8/4/63</u> (if known)</p>
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I understand that I am under oath/affirmation and that I must tell the truth and I state that:

- I am (we are) the Petitioner(s) in this action. (I am) (My minor child (ren) is) (My minor ward(s) for whom I am the legal guardian is) the victim of harassment described in this petition.

Our/My relationship to the respondent(s) is/are: prior significant romantic relationship

- The following court cases involve the respondent and myself in issues regarding child custody or parenting time issues:

Court File Number	Court Jurisdiction

- The following are specific acts of harassment committed by Respondent(s). (Check the boxes that apply and describe. Provide as many details as possible.)

- Respondent physically or sexually assaulted the Petitioner as follows: May 16, 2005 pushed, shoved and verbally abused me at my own home uninvited.
- Respondent has followed, pursued or stalked the Petitioner as follows: starting May 2006 Repeatedly had his friend/attorney call me and harass me.
- Respondent(s) made uninvited visits to the Petitioner(s) as follows: May 16, 2005 when she responded assaulted me at my own home, I did not invite him.

- Respondent(s) made harassing phone calls to the Petitioner(s) as follows: Thomell Lars
lawyer/friend he intimidate and
verbally abused me and threatened me. May 2006 + Aug 2
- Respondent(s) made threats to the Petitioner(s) as follows: _____

- Respondent(s) frightened Petitioner(s) with threatening behavior as follows: Assaulted and
verbally abused me in my own home
and in front of my child. May 16, 2005
- Respondent(s) called the Petitioner(s) abusive names as follows: Bitch, crazy
confused mixed girl, stupid, lazy Jan. 2005 - May 2005
- Respondent(s) damaged the Petitioner's property as follows: Broke storm door
window screen on May 16, 2005

- Respondent(s) broke into and entered the Petitioner's residence as follows: _____
- Respondent(s) stole property from the Petitioner(s) as follows: _____
- Respondent(s) took pictures of the Petitioner(s) without permission of the Petitioner(s) as follows: _____

- Other: Since May 2006
has continued to use his friend lawyer
to place repeated and unwanted calls to me on his
the last call being 8/25/06. behalf.
3. I ask the Court to issue a Restraining Order. I ask the Court to order the following:
- Respondent(s) shall not harass me my minor child (ren) or ward(s).
- List minor children/wards included in this Petition: _____

- Respondent(s) shall have no contact with me my minor child (ren) or ward(s) listed above.

 shall stay away from my place of employment located at _____

- Other: _____

4. I request a court hearing

I do not request a court hearing. I have been advised that the respondent may request a hearing. The court will notify me by mail at least five days before the hearing date.

Dated: 9/5/06

Sworn/affirmed before me

Date: Sept 5, 2006

[Signature]
Notary Public, Deputy Court Administrator
HENNEPIN COUNTY, MINNESOTA

