

Lake Stevens Police Department

Administrative Review Report

Incident Details

Date Received	05/18/2020
Entered By	Chief Jeffrey Beazizo
Date/Time of Occurrence	05/11/2020 22:00
Date/Time Entered	05/18/2020 14:01
Record ID Number	206
Case / Incident #	2020-8829
OPS #	2020-0015
Lake Stevens Police Department BlueTeam Assigned Investigator	Sergeant Robert Miner
IAPro Assigned Investigator	Chief Jeffrey Beazizo

Incident Location

Location of Occurrence	City of Lake Stevens 1117 86th Ave Ne Lake Stevens, WA, 98258
------------------------	---

Incident Summary

It is alleged the officers failed to arrest suspect on DVPO and allowed suspect to re-enter a private residence where suspect was restricted from entering.

Crisis Details

—

Reporting/Involved Citizen

Cecily M. Johnson			
Date of Birth	—	Gender	Female
Race	White	Ethnicity	Non Hispanic
Role	Complainant		
Address	12008 28th PL NE	Phone Numbers	(425) 212-8440

Lake Stevens,
WA, 98258

Email

Additional Snapshot
Data

Homeless at
time of
involvement

No

Perceived
Limited English

No

Primary
Language

English

Sexual
Orientation

Female

Gender
Expression

Female

Experiencing
Mental Crisis
(Officer
Assessment)

No

Experiencing
Mental Crisis
(Self Reported)

No

Armed at Time
of Incident

No

Charges Against
Citizen

None

Nicholas Johnson

Date of Birth

05/18/2020

Gender

Male

Race

White

Ethnicity

Non Hispanic

Role

Complainant

Address

1117 86th Ave NE
Lake Stevens,
WA, 98258

Phone Numbers

(425) 512-7368

Email

Additional Snapshot
Data

Homeless at
time of
involvement

No

Perceived
Limited English

No

Primary
Language

English

Sexual
Orientation

Male

Gender
Expression

Male

Experiencing
Mental Crisis
(Officer
Assessment)

No

Experiencing
Mental Crisis
(Self Reported)

No

Armed at Time of Incident No

Charges Against Citizen None

Involved Employees

Records Specialist Megan Leblanc

(Data at the time of incident)

Assignment	Records Specialist Lake Stevens Police/Administrative/Records/Records Specialist	
Video Footage	Body Camera not used by Department	
Policy Outcome	Not within policy	
Not In Policy Reason	Training or employee assistance issue	
Role	Involved Employee	
Height	—	
Weight	—	
Additional Snapshot Data	Officer was off-duty	No
	Officer was employed off-duty	No
Linked Allegations	Unsatisfactory Job Performance (Coaching - 07/09/2020)	
Actions taken	Informal - Verbal Coaching - 07/09/2020 supervisor discussed with employee	

Sergeant Dean Thomas

(Data at the time of incident)

Assignment	Sergeant Lake Stevens Police/Operations/Squad 1/Patrol Sergeant
Video Footage	Body Camera not used by Department

Policy Outcome	Not within policy	
Not In Policy Reason	Training or employee assistance issue	
Role	Involved Employee	
Height	—	
Weight	—	
Additional Snapshot Data	Officer was off-duty	No
	Officer was employed off-duty	No
	Officer was in uniform	Yes
Linked Allegations	Unsatisfactory Job Performance (Coaching - 07/01/2020)	
Actions taken	Informal - Verbal Coaching - 06/25/2020 Verbal Coaching	

Officer Chris Lyons

(Data at the time of incident)

Assignment	Officer Lake Stevens Police/Operations/Squad 1/Patrol Officer	
Video Footage	Body Camera not used by Department	
Policy Outcome	Not within policy	
Not In Policy Reason	Training or employee assistance issue	
Role	Involved Employee	
Height	—	
Weight	—	
Additional Snapshot Data	Officer was off-duty	No

Officer was
employed off-
duty

No

Officer was in
uniform

Yes

Linked
Allegations

Unsatisfactory Job Performance (Coaching - 07/01/2020)

Actions taken

Informal - Verbal Coaching - 06/25/2020
Verbal Coaching

Tasks

Task Description	Due On	Completed On	Summary
---------------------	--------	--------------	---------

Interview Complainant	06/15/2020	06/15/2020	Case Notes 5-20-20 I was assigned by Cmdr. Beazizo to review OPS #2020-0015 and then contact both complainants. This pertains to a citizen complaint against Officer Lyons and Sgt. Thomas. 5-20-20 During my review, I noted that that Brandon L Kiner was served with protection order 20-2- 02861-31 on 5-11-20,1619, at the Snohomish County Jail by CO Sigh #6076. There are two fax dates on the return of service: 5-13-20 at 0735 to the SCSO Civil unit, the second is 5-13- 20 0824 but it is unknown who received that fax. There is a hand written annotation on the site sayin "Lake Stevens PD 5- 22-20; assumed to be when sent to LSPD, but that is unknown. I noted that LSPD Record faxed the order to the county jail at 1518 hours on 5-11-20
--------------------------	------------	------------	---

requesting it to be served
on Kiner, who was currently a resident.
It appears, as stated above,
that the county jail did serve
him with the order at 1619 hours, prior
to being released.

I noted that on 5-11-20 at
2256 hours, Ofc. Lyons also served
that order on Kiner at his
resident located at 1117
86th AVE NE, Lake Stevens where he
resides with the petitioner
Nicholas Johnson. This
service was after Kiner was served
and released from the county jail.

I reviewed the letter of
complaint written by unknown person,
for it was typed and signed by
both Nicholas Johnson and
his mother Cecily Johnson. The letter
states that it is believed
LSPD Officer Lyons and
Sgt. Thomas failed to do their duty.
Please refer to the attached letter
for more information.

Nicholas Johnson 117 86
AVE NE 425-512-7368
Cecily Johnson 12008 28th
PL NE 425-212-8440

5-27-20 Looking at the history at the
location, it appears that Sarah Werth
was served at the residence
her order, LSPD Incident
2020-9781

I attempted to contact
Nicholas Johnson with no luck.
Message was left to contact me. I
attempted at least 3 tries. If I

don't hear from him, I will attend to contact at his residence.

5-28-20 Email chain concerning the order process received from Cmdr. Beazizo. Per the chain, it was learned that records had not uploaded or had a hard copy of the order to be served. Records also thought the jail was to serve it, so hard copies were not done.

I learned that there was also an issue with the service of the extended order for Kiner. The order was sent to LSPD but not served. The clerk stated it showed private service but was unsure.

She asked another clerk and was not given an adequate answer, like being blown off". The court was already closed so she could not contact them. So, it was not prepared to be served. It was later learned that the order was served by a private party.

I again attempted to contact Nicholas Johnson, for I had not heard back from him. Once again, I received no answer and another voice message was left.

I contacted Cecily Johnson, who did answer the phone. I explained I have been trying to contact Nicholas with no results. She said he was currently at work. I informed her have been trying for two days now and left voice messages with no response. She told me she did not witness everything but most of the

information she had was told to her by her son. She stated she was at the store and asked if she could call me back in about an hour.

Cecily Johnson called and left a voice message, to which I returned her call. I spoke with her on the phone (speaker) along with her husband, Bill Johnson. They both told me the same information that was provided in the attached complaint letter. Their 2 complaints were that the officers let Kiner into the home, when there was a protection order. Second, the officers refused to document in any fashion the damage to the house. I informed them that I do see a couple areas that needs to be addressed as a result of this incident. I stated that I understood their frustrations on this case and appreciate them bringing their concerns to us. I informed them that I also needed to contact Nicholas and talk to him. They said he has gotten my messages but has been at work. They told me that they would get a message to him to ensure he contacts me. I also provided a direct line number to do so. I told them to have him at least leave me a message as to when is the best time to speak with him.

6-1-20 I still have not heard from Nicholas Johnson. I again attempted contact with him and received no answer. Another voice mail was left.

After many attempts to contact Nicholas Johnson, he has not returned my calls. I have spoke with his parents, for whom his mother co-signed the complaint letter. I believe I have enough information from Cecily and Bill Johnson to prepare a report. If Nicholas calls after forwarding my report, I will interview and add to my report any additional information. Also note that I have not spoken to the officers involved, and my report is based only on the information that I have obtained.

After speaking with the parents, they were happy with our conversation and ok with the knowledge that we will be fixing eh issues. They also asked about paying for the cost of the door. I explained that was not my area and would not comment either way whose fault the damage to the door is. I did advise, however, that Nicholas can file a claim with the city for the damage to the door if he feels the city is responsible. I still have not heard from Nicholas on this incident.

I have identified 3 possible issues from this incident. 1. There appears to have been records issues that occurred. A) on the original order it was not prepared for service because it was thought the jail would serve it (see the attached email chain). On the

second order with the

female, a new records clerk asked a senior clerk a question about it, and an inadequate answer

was given. 2. it appears that once the scene had been controlled, Kiner could have been

served with the order and not been allowed back into the residence, or worked on confirming that

the order was served, to which it was. On this occasion, they attempted to confirm but because

of other issues, the PO could not be found. 3. Refusal to document the damage to the door.

Since this has been an ongoing issue, a report could have been taken or at least documented into the incident log. I believe these areas can be corrected through training, coaching and procedures review.

I finally received a voice mail from Nicholas Johnson who stated he will call me today prior to me

leaving work. I will hold off forwarding my report.

I was able to contact Nicholas Johnson and speak with him. We talked about all the issues, to

which were the same as when speaking with his parents. I also provided him with the same

information I gave his mother. Nicholas stated he appreciated me listening to his concerns and

is happy that we will be addressing them.

This is being forwarded to
Commander Beazizo

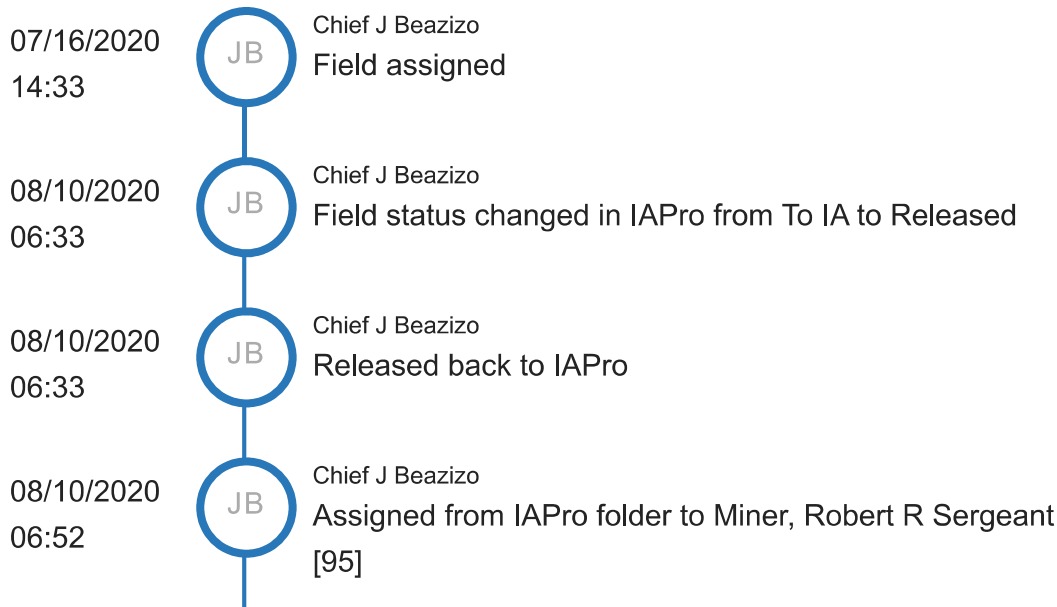
Running Sheet Entries

Created Date	Author	Summary
05/18/2020	Chief Jeffrey Beazizo	I received a citizen complaint packet from Johnson that outlined a complaint on Sergeant Thomas and Officer Lyons. There was a signed letter, copy of DVPO paperwork for Brandon Hiner and a copy of an unserved DVPO for a Sarah Werth. I reviewed the letter and entered the information into BlueTeam. I advised a copy of the complaint needs to be forwarded to Chief Dyer for his knowledge. I asked Records Unit for a copy of the DVPO Service paperwork on Hiner.

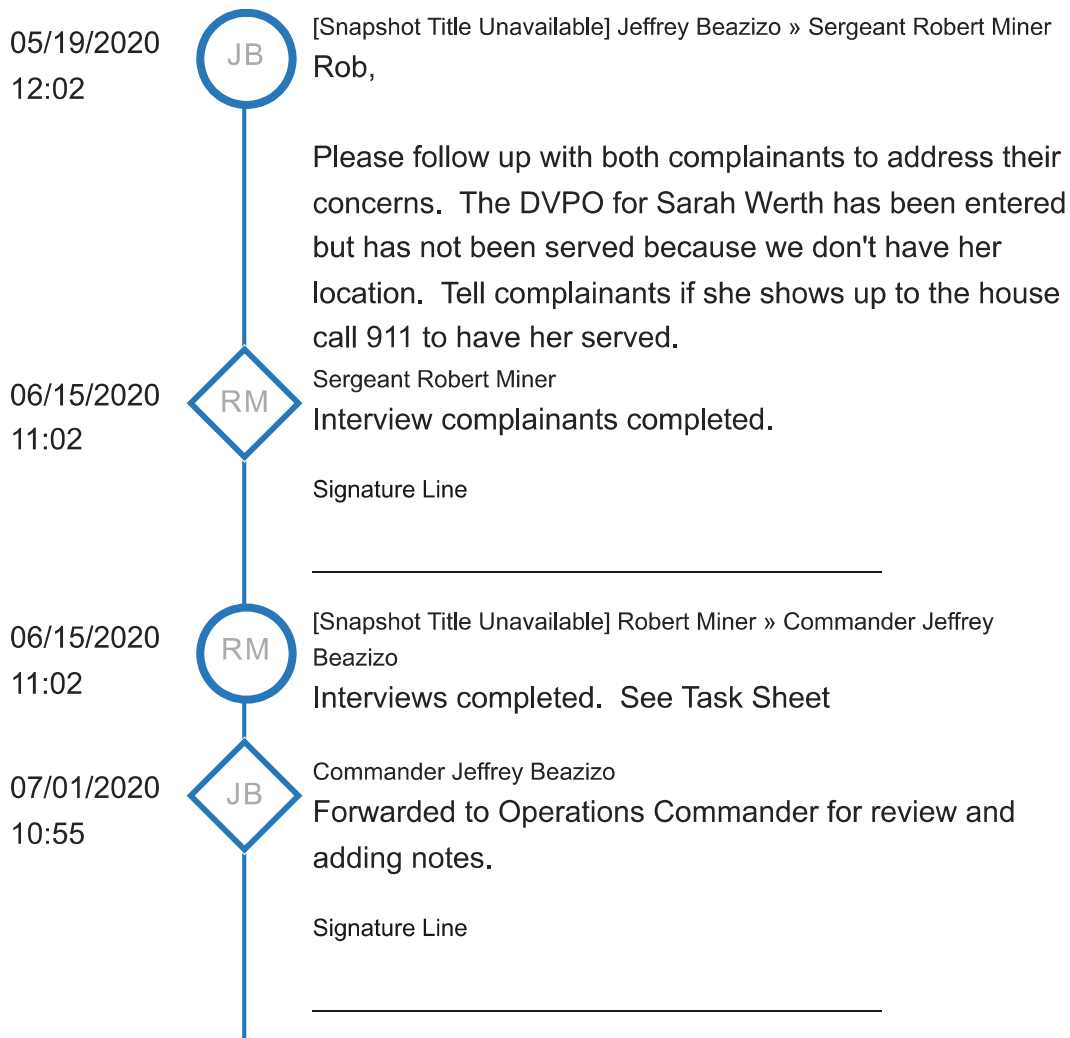
Attachments

Date Attached	Attachment Description	Attachment Type
05/18/2020	Complainant Letter Received	pdf
05/18/2020	LSPD DVPO Service Paperwork Copies	pdf
06/16/2020	FW_ Order	pdf
05/18/2020	Complainant Service Paperwork Copy of unserved DVPO received with letter.	pdf
06/29/2020	LeBlanc email showing timeline of DVPO service	pdf
05/18/2020	LSPD Incident Letter	pdf
05/18/2020	Complainant Service Paperwork received with Complainant Letter	pdf

Assignment History



Chain of Command History



07/01/2020
10:55



[Snapshot Title Unavailable] Jeffrey Beazizo » Commander Ron Brooks

Send for supervisor notes.

07/16/2020
09:36



Commander Ron Brooks

I talked to Sgt. Thomas about this incident. He explained that the order was served but no return of service was entered and there was no hard copy at the PD. He said he was able to locate a paper copy and serve it on the violator. Prior to service the violator said that they had not been served and unaware of the order. This was in direct conflict with what Sgt. Thomas learned later date. The violator was served at the jail prior to Sgt. Thomas and his crews' response to this incident and was aware of the order. The violator was again served and told he could gather a few of his necessities and leave the residence.

I asked Sgt. Thomas if since finding out that the violator had lied and told them that he was not served at the Jail if they have completed a report and charged the violator with the order violation. He said they have not. I asked them to complete a report and forward it to the prosecutor's office. I did verify that charges have been referred and a report has been filed.

Signature Line

07/16/2020
09:36



[Snapshot Title Unavailable] Ron Brooks » Chief John Dyer
I talked to Sgt. Thomas about this incident. He explained that the order was served but no return of service was entered and there was no hard copy at the PD. He said he was able to locate a paper copy and serve it on the violator. Prior to service the violator said that they had not been served and unaware of the order. This was in direct conflict with what Sgt. Thomas learned later date. The violator was served at the jail prior to Sgt. Thomas and his crews' response to this incident and was aware of the order. The violator was again served and told he could gather a few of his necessities and leave the residence.

I asked Sgt. Thomas if since finding out that the violator had lied and told them that he was not served at the Jail if they have completed a report and charged the violator with the order violation. He said they have not. I asked them to complete a report and forward it to the prosecutor's office. I did verify that charges have been referred and a report has been filed.

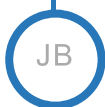
07/16/2020
14:33



Chief John Dyer
Incident routing was closed out by IAPro user
Commander Jeffrey Beazizo and the incident was re-routed to Administrative Manager Julie Ubert [87]

Signature Line

07/16/2020
14:33



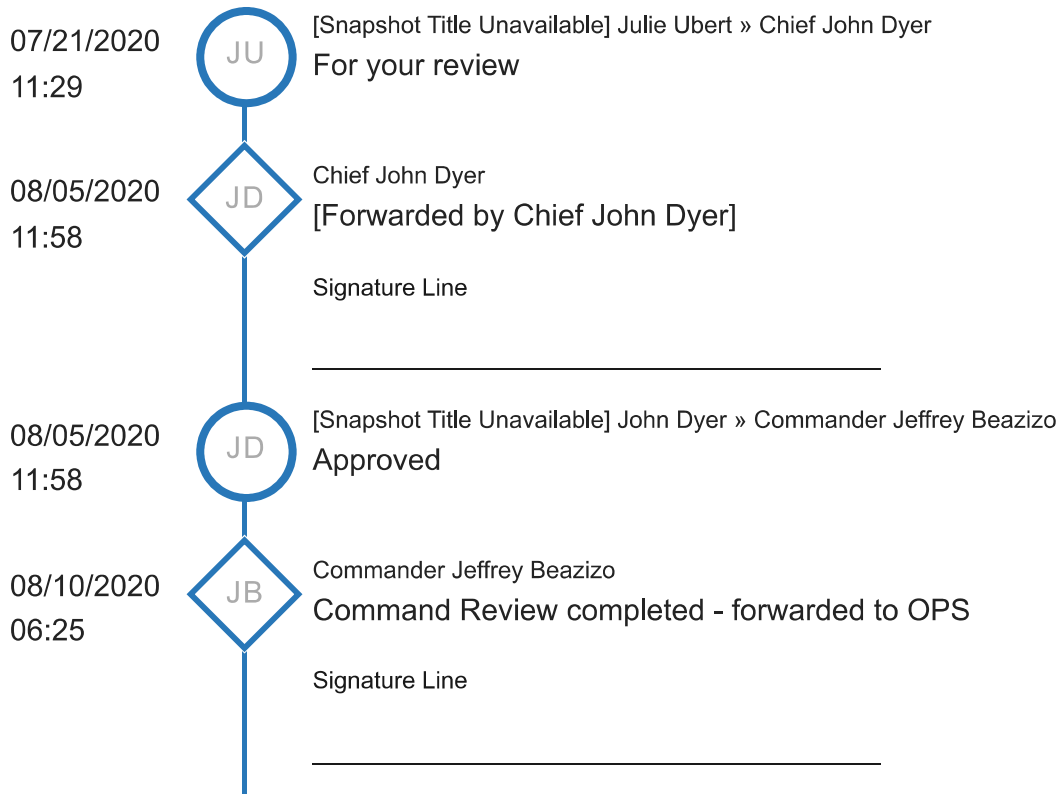
[Snapshot Title Unavailable] Jeffrey Beazizo » [Snapshot Title Unavailable] Julie Ubert
need to add your notes from Records employee

07/21/2020
11:29



[Snapshot Title Unavailable] Julie Ubert
I handled the PD Records intervention. Forward to Chief for review.

Signature Line



Assigned Investigator Signature Line

Sergeant Robert Miner

From: [Dean Thomas](#)
To: [Jeff Beazizo](#)
Subject: FW: Order
Date: Thursday, May 28, 2020 5:38:38 AM
Attachments: [image001.png](#)
[image005.png](#)
[image006.png](#)

Here is our correspondence.



D. Thomas #94,
POLICE SERGEANT
LAKE STEVENS POLICE DEPARTMENT

2211 Grade Road, Lake Stevens, WA 98258

Phone: [425.622.9401](tel:425.622.9401)

Fax: [425.334.9842](tel:425.334.9842)

Web: www.lakestevenswa.gov/police



"We serve the Lake Stevens Community by enhancing public safety and quality of life, through professional police services, partnerships and interaction with our citizens."

NOTICE: All emails and attachments sent to and from Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

From: Dean Thomas <dthomas@lakestevenswa.gov>
Sent: Tuesday, May 12, 2020 1:16 PM
To: Megan LeBlanc <mleblanc@lakestevenswa.gov>; Julie Ubert <jubert@lakestevenswa.gov>
Cc: Ron Brooks <rbrooks@lakestevenswa.gov>
Subject: Re: Order

Thank you. The petitioner had told us he was going to be served in jail. That's where the confusion started. Lol

D. Thomas #94,
POLICE SEARGANT
LAKE STEVENS POLICE DEPARTMENT

2211 Grade Road, Lake Stevens, WA 98258

Phone: 425.622.9401

Fax: 425.334.9842

Web: www.lakestevenswa.gov/police

"We serve the Lake Stevens Community by enhancing public safety and quality of life, through

professional police services, partnerships and interaction with our citizens.”

NOTICE: All emails and attachments sent to and from Lake Stevens are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

From: Megan LeBlanc <mleblanc@lakestevenswa.gov>

Sent: Tuesday, May 12, 2020 7:14:28 AM

To: Dean Thomas <dthomas@lakestevenswa.gov>; Julie Ubert <jubert@lakestevenswa.gov>

Cc: Ron Brooks <rbrooks@lakestevenswa.gov>

Subject: RE: Order

Hi all,

Sorry for the mix-up with this order. I received the order yesterday, entered it, and found that Mr. Kiner was still in jail. I coordinated with SCSO to have him served at the jail, and when I spoke with the jail, they didn't think he would be getting out yesterday (so I didn't prep a packet for us to serve).

We do have some blank return of service forms printed in the front area, but they are hidden away in a drawer, so maybe adding them to the wall file or Sharepoint folder would be a good idea!

Thanks,
Megan

M. LEBLANC, SENIOR RECORDS SPECIALIST

CITY OF LAKE STEVENS

LAKE STEVENS POLICE DEPARTMENT

2211 Grade Road, Lake Stevens, WA 98258

Phone: 425.622.9401 **Fax:** 425.334.9842 **Web:**

www.lakestevenswa.gov/police

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Dean Thomas <dthomas@lakestevenswa.gov>

Sent: Monday, May 11, 2020 11:40 PM

To: Julie Ubert <jubert@lakestevenswa.gov>

Cc: Megan LeBlanc <mleblanc@lakestevenswa.gov>; Ron Brooks <rbrooks@lakestevenswa.gov>

Subject: Order

Good morning,

We had a bit of an issue with a TPO this evening (Brandon Kiner). The petitioner was extremely upset that Kiner was not served when he arrived home from jail. There was not a hard copy so Days was not aware there was anything to be served. I did look it up in LERMS so it's there and scanned in

by Megan. I printed out a return of service and face sheet so it all worked out. The concern was us scrambling to get everything together while there is a volatile situation brewing at the residence.

Can we add a return of service form to Records Forms folder? I know they have generic ones we can use in a pinch.

Thanks



D. THOMAS #94,
PATROL SERGEANT
LAKE STEVENS POLICE DEPARTMENT

2211 Grade Road, Lake Stevens, WA 98258

Direct: [425.622.9381](tel:425.622.9381)

Phone: [425.622.9401](tel:425.622.9401)

Fax: [425.334.9842](tel:425.334.9842)

Web: www.lakestevenswa.gov/police

From: [Megan LeBlanc](#)
To: [Ron Brooks](#); [Jeff Beazizo](#)
Cc: [Dean Thomas](#)
Subject: Order - Kiner v Johnson
Date: Monday, June 29, 2020 6:29:52 AM

Good morning all,

I was requested to send a breakdown of the timeline of events surrounding receiving the order for Brandon Kiner and Nicholas Johnson.

On 5/11/20 @ 1409 hours, LSPD received the order via fax for service and entry, stating that Mr. Kiner was at SCSO jail. I called the jail, confirmed he was there, and that they didn't believe he was getting out that day. I prepped a service packet and sent it to the jail, per their instructions, to be served to him while in jail.

On 5/11/20 @ 1502 hours, Petitioner called 911 asking how to get an order served on someone in jail. He was advised to contact the jail for service.

On 5/11/20 @ 1620 hours, Petitioner called 911 stating the jail told him the respondent was not there. After seeing this call on the screen, I messaged the involved officers through mobile, explaining that there was an order to be served, but I sent it to the jail for service (a priority call came in right after this, and no officers answered my message).

On 5/11/20 @ 2119 hours, respondent showed up at petitioner's house, we were called, and Mr. Kiner was served the order by LSPD.

On 5/11/20 @ 2340 hours, Sgt. Thomas emailed myself, Julie, and Commander Brooks with concerns that patrol did not have a service packet for Mr. Kiner when they were called out to the house.

On 5/12/20 @ 0715 hours, I emailed Julie, Sgt. Thomas, and Commander Brooks explaining the above.

On 5/13/20 @ 0824 hours, we received a return of service showing the respondent had been served at the jail on 5/11/20 at 1619 hours.

On 5/13/20 @ 0835 hours, I emailed Sgt. Thomas that we had just received a return of service from the jail, that Mr. Kiner was in fact served at the jail prior to his release.

Thank you,
Megan

M. LEBLANC, SENIOR RECORDS SPECIALIST
CITY OF LAKE STEVENS
LAKE STEVENS POLICE DEPARTMENT

2211 Grade Road, Lake Stevens, WA 98258
Phone: 425.622.9401 **Fax:** 425.334.9842 **Web:**
www.lakestevenswa.gov/police

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

To: Mayor Brett Gailey
Chief John Dyer

RECEIVED
MAY 18 2020
CITY OF LAKE STEVENS
POLICE DEPARTMENT

1251

RE: citizen complaint of incident on 5-11-2020

From: Nicholas Johnson and family
1117 86th. Ave NE, Lake Stevens

On 5-11-2020 I applied for and received a domestic violence protection order against Brandon Kiner. This was per advice given to me by a sergeant the day before at my residence when the police were called out due to threats made to myself and my father by Kiner and his female guest. During the incident we were informed Kiner had warrants but they were not mandatory arrests. I am the owner of this house and Kiner has been renting a room from me. I gave him a 30 day notice to vacate premises on 4-11-2020 per his request. He was on a month to month agreement.

The Snohomish County Court sent me an electronic copy over email. The order said it would be sent to the Lake Stevens Police Department that day and that the LSPD was to serve Kiner with it. At that time I found Kiner was in jail on two assault 4 charges and a criminal trespass that the LSPD had arrested him for the night before.

I called the police department when I got the order and spoke with an officer who informed me that he had it. He said for me to call the court and jail to make sure Kiner was served. I spent a couple hours calling the jail but had no success. I called the LSPD back and was told they would look into it.

At approximately 9:30 pm on 5-11-2020 Kiner's guest Sarah Worth showed up at my house screaming and pounding on my door. She screamed "Brandon is well over 1000 feet away, he is not here. I have a right to come in and get my clothes." It appeared on the video that she was on the phone with 911. It appeared to me that Kiner knew I had a protection order against him from what Sarah was saying.

Officer Lyons responded to the call. Lyons spoke with me and I informed him that I had a DVPO against Kiner. Lyons said that he had talked to me earlier about calling the court. I informed Lyons that I did call the court and multiple jails but had no success. Even though the DVPO clearly states the LSPD is to serve it. He declined looking at the electronic copy on my phone. Sergeant Thomas also arrived at my residence and told me, "you didn't check the correct boxes to have the PD serve the protection order and you needed to have a third party serve it." It clearly states on the DVPO that the LSPD is to serve this order.

I told Lyons that Kiner was in jail from your department's arrest the night before, and as far as I knew he was still in jail. Lyons said that Kiner had been released and you have to let him in the house. I told Sgt. Thomas I didn't want Kiner in the house because I had a protection order against him, because he was dangerous and I was afraid of retaliation from his arrest the night before. I wanted him served with the protection order. Sgt. Thomas told me that Kiner won't retaliate against you because the arrest from the DV warrants were not from me. Sgt. Thomas told me that Kiner had every right to live here and you have to let him in the house.

Kiner's guest had gone to the car. At this point I gave up because I could see that my life and safety was not the priority of the police. Kiner's rights were more important. And then the Sgt. left.

Lyons said, "I am going to go talk to Kiner. I will tell him to be quiet and try not to cause any problems tonight." As Lyons was walking away I told him that Kiner threatened my father two days ago and threatened me every time I talked to him. There will likely be something happening tonight. Lyons responded "I hope it's not you I'm coming to arrest."

Lyons then went to tell Kiner he could come into the house.

Then Lyons left.

I unlocked the front door and went upstairs and locked myself, my fiancée and my dogs into my bedroom. I heard slamming and what I thought was things breaking, but I did not want to leave the room and put myself and my family in danger since at this point I knew the police had no intention of protecting or helping me....the victim.

I called my parents for help. My mother called 911 at this point. She was informed that the call was still open and she told them the police had left. Dispatch said an officer would call. After 10 minutes Lyons called her back. My father asked to meet him at the PD offices to show him the DVPO papers they had printed out. Lyons said no, I am on the south side of town. My father then asked to speak to his Sgt. Lyons said he would find him and have him call. Sgt Thomas returned the call and they agreed to meet at the PD. When my mother and father arrived at PD the Sgt. informed them that he had found the order.

My father requested the order be served and Kiner be removed from the house. My parents informed me that the police would be returning to serve the order. I went back downstairs and Kiner was running down stairs after me. Kiner went to his vehicle. Lyons had blocked the car in with his. Lyons then spoke to Kiner. Then Lyons came and spoke to me. Lyons informed me that the Sgt was on his way so they could serve the order. Lyons told Kiner's guest that she could go reenter house to get what she needed, by herself, he stayed on the front porch. She came out with chicken and beer. In all the times they went in the house they never grabbed any clothes.

I said nothing as again I felt I had no say in what was going on in my own home. The guest got into the car and tried to back out of the area, but realized she could not.

After 5-10 minutes the Sgt arrived and parked at the end of the street, Lyons ran out and spoke for a few minutes to the Sgt and then the Sgt left the area.

I believe Lyons served Kiner with the DVPO, but I wasn't part of this conversation. Kiner asked when he could come back to stay tomorrow and the officer told him he could not. Lyons told Kiner he would have to call the Sgt at PD to call me and set up a time that was good for me to do a civil standby to get his belongings. Lyons asked me what would be a good time, I told him 10:00 am, Kiner agreed. I asked why we could not do the civil standby now. Lyons told me, we have wasted too much time on this tonight, we can't do it tonight.

After everyone had left I went upstairs and found the upstairs bathroom door had been broken. I called 911 to have a report made to document the damage as I have a court hearing about this DVPO on Friday 5-22-2020 and will need it for that. Dispatch said the call was still open and I said the officer had left and told her the situation. I apologize for any anger towards the dispatcher. I was understandably scared, angry and on edge at this moment.

Lyons called me back. I told him when you let them in my house they broke a door and I want it documented in the report.

Again Lyons informed me, we have already wasted too much time on this, you got what you wanted. Call the Sgt tomorrow.

I didn't waste my time calling back. It is obvious to me that in the mind of the LSPD I am the criminal and not the victim.

I will take responsibility for renting Kiner a room in my house without knowing enough about him. It is a mistake that I will never make again. He is not and has never been a friend of mine, he answered an ad I put out for a person to rent my extra room.

This has been mentally and physically exhausting for me and my family. I feel unsafe in my own home because I am afraid that the police will not treat me as a victim.

Kiner did not come the next day at the agreed time to collect his belongings.

I have lost time at work and sleep because of what has occurred.

I also feel that I am not responsible for the financial damage to my bathroom door that needs to be replaced. I feel that the police are responsible because the police allowed him into my house fully aware that he had a signed DVPO from the court. Did the police ever question Kiner as to his knowledge of the protection order or him having a copy of it when he was released from jail that same day?

I also feel that the police failed to do their job by not coming back and taking a report on damage that happened during a domestic call. Which I need for the court.

I would like to have a response to this letter of the actions taken to assure my safety as a homeowner and citizen in the City of Lake Stevens.

Also for information I have also obtained a DVPO on Kiner's guest, Sarah Worth, and request the assistance of the police department serving this if she returns to the residence. I have all the necessary paperwork to be served. To my knowledge it has not been served.

Nicholas E. Johnson



1117 86th. Ave NE
Lake Stevens
425-512-7368

Cecily M. Johnson (mother of Nicholas)



12008 28th Pl NE
Lake Stevens
425-212-8440

**Superior Court of Washington
For Snohomish County**

NICHOLAS E. JOHNSON **9-21-1990**

Petitioner (Protected Person)

vs.

SARAH WORTH

Respondent (Restrained Person)

No. 20-2-02887-31

**Return of Service
(RTS)**

Identification of server:

1. My name is _____. I am ☐ a peace officer ☐ 18 years of age or older and not the petitioner or the respondent.

Able to serve:

2. I served **SARAH WORTH** (name of person served)

on _____ (date) at _____ (time) at this address:

Street Address

City

State

with the documents checked in paragraph 3.

List of documents:

3. I served the:

- ☒ Petition Order for Protection
- ☒ Temporary Order for Protection and Notice of Hearing
- ☐ Reissuance of Temporary Order for Protection and Notice of Hearing
- ☐ Order for Protection
- ☐ Motion to Surrender Weapons
- ☐ Order to Surrender Weapons w/o Notice
- ☐ Order to Surrender Weapon
- ☐ Declaration of Non-Surrender
- ☐ Proof of Surrender & Receipt for Surrendered Firearms/Weapons
- ☐ Findings/Order on Review for Weapons Compliance

- ☐ Motion to Modify/Terminate Order for Protection
- ☐ Order Modifying/Terminating Order for Protection
- ☐ Petition to Renew Protection Order
- ☐ Order for Renewed Protection Order
- ☐ Notice of Hearing and/or Order Extending Protection Order
- ☐ Pro Se Notice of Appearance
- ☐ Notice to Vulnerable Adult
- ☒ Respondent Response & Telephonic Hearing Instructions.
- ☐ Other _____

NEXT HRG:

Not able to serve:

4. ☐ I was unable to make personal service on the respondent. ☐ I notified the petitioner that respondent was not served.

☐ I was unable to make personal service on the petitioner. ☐ I notified the respondent that petitioner was not served.

☐ Personal service was attempted on the following date(s) _____

☐ No service was attempted because _____

5. Other: _____

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

 **Dated:** _____ **at** _____, **Washington.**

Fees: Service _____
Mileage _____

Total _____



Signature of Server

Law Enforcement Agency

THIS RETURN OF SERVICE MUST BE RETURNED TO:



**Snohomish County Clerk's Office
Court Services Division M/S 605**

1st Floor, Room C125

3000 Rockefeller Ave
Everett, WA 98201

FAX: 425-388-3127

E-MAIL: PROTECTION.ORDER@SNOCO.ORG

PHONE: 425-388-3638

FILED

2022 MAY 13 AM 11:51

HENDI PERCY
COUNTY CLERK
SNOHOMISH CO. WASHSuperior Court of Washington
For Snohomish CountyNo. **20-2-02887-31**Temporary Order for Protection and
Notice of Hearing (TMORPRT)
(Clerk's Action Required)Nicholas E. Johnson 9-21-90
Petitioner DOB

vs.

Sarah Worth
Respondent DOB
unknownHearing Date: 5-27-22 Time: 1:00pm or ____Department: B☐ In person Hearing☒ Telephonic - If your hearing is telephonic Call
1-888-882-8878 to register for your telephonic
hearing by 2pm the day prior to your hearing.
See attached instructions.At: 3000 Rockefeller Ave., Everett, WA 98201
Phone: 425-388-3638Names of minors: ☐ No minors involved

First Middle Last Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: ☐ yes ☐ no
☐ unknown

The court finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm or injury.

The court orders:

1. Respondent is **restrained** from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking
☒ petitioner ☐ the minors named in the table above ☐ these minors only:

ENTRY:

John ☒ 2. Respondent is **restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ petitioner ☐ the minors named in the table above ☐ only the minors listed below ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

John ☒ 3. Respondent is **restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with ☒ petitioner ☐ the minors named in the table above ☐ these minors only:

John ☒ 4. Respondent is **restrained** from going onto the grounds of or entering petitioner's ☒ residence ☒ workplace ☒ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:
☐ other:
☒ Petitioner's address is confidential. ☐ Petitioner waives confidentiality of the address which is:

John ☒ 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. ☐ This address is confidential. ☐ Petitioner waives confidentiality of this address which is:

John ☒ 6. Respondent is **prohibited** from knowingly coming within, or knowingly remaining within 100 yds (distance) of: petitioner's ☒ residence ☐ workplace ☐ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:
☐ other:

☐ 7. Petitioner shall have possession of essential personal belongings, including the following:

☐ 8. Petitioner is granted use of the following vehicle:
 Year, Make & Model _____

License No. _____

☐ 9. Other:

Protection for minors:

☐ 10. Petitioner is **granted** the temporary care, custody, and control of ☐ the minors named in the table above ☐ these minors only:

☐ 11. Respondent is **restrained** from interfering with petitioner's physical or legal custody of
☐ the minors named in the table above ☐ these minors only:

☐ 12. Respondent is **restrained** from removing from the state ☐ the minors named in the table
above ☐ these minors only:

☐ **Surrender of Weapons Order**

The court finds that:

- ☐ irreparable injury could result if the order to surrender weapons is not issued.
- ☐ respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The Respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

(Note: Also use form number All Cases 02-030.)

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

Warnings to Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.10.040.

You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Date Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to LAKE STEVEN [] County Sheriff's Office
☒ Police Department *Where Petitioner Lives* which shall enter it into WACIC.

Service

[] The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to [] County Sheriff's Office [] Police Department *Where Respondent Lives* which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
☒ (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

[] Law enforcement shall assist petitioner in obtaining:
 [] Possession of PETITIONER'S [] residence [] personal belongings located at: [] the shared residence [] respondent's residence [] other:
 [] Possession of RESPONDENT'S personal belongings located at the shared residence,
 [] other:
 [] Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
 [] Other:

The terms of this order shall be effective until: the end of the hearing, noted on page 1.

Dated: 05/13/2020 at 10:19 a.m./p.m.

[Signature]
 Judge/Commissioner

Presented by:

Signature of Petitioner/Lawyer

WSBA No.

Print Name

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).

- *All documents must be served on the other party 3 days prior to the hearing.*

CourtCall Telephonic Hearing Instructions

1. You must call CourtCall at 1-888-882-6878 to schedule a telephonic appearance.
2. The deadline to contact CourtCall and set up a telephonic appearance is by 2:00 p.m. **one (1) court day before the hearing.**
Do not count weekends or holidays.
3. You must provide CourtCall with: (Refer to page 1 of the Temporary Order or Reissuance Order for the following information)
 - a. Case number & Name
 - b. Date of hearing
 - c. Time of hearing
 - d. Location of hearing
4. CourtCall will schedule the telephonic appearance and will provide you with a separate call-in number and dial access code.
5. At the date and time of your hearing, call the call-in number provided to you, enter the access code provided by CourtCall and wait for further instructions.
6. Any person who has not scheduled an appearance via CourtCall by 2:00 pm the day prior to the hearing shall be deemed to have failed to appear.

Any questions should be directed to either:

Confirmations Clerk	425-388-3587 SSC-HearingConfirmations@snoco.org
Court Administration	425-388-3421
Superior Court Website	https://snohomishcountywa.gov/197/Superior-Court

FILED

APRIL 12 PM 5:45

KELLY PERCY
COUNTY CLERK
SNOHOMISH CO. WASH**Superior Court of Washington
For Snohomish County**Nicholas E. Johnson

Petitioner

Sarah vs. Worth

Respondent

No.

20-2-02887-31

**Petition for Order for Protection
(PTORPRT)**

1. ☒ I am a victim of domestic violence committed by the respondent. ☒ A member of my family or household is a victim of domestic violence committed by the respondent. ☐ I am a ☐ guardian ☐ guardian ad litem ☐ next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is _____ This person's identifying information is provided in paragraph 5 below.	
2. ☒ The victim lives in this county. ☐ The victim left their residence because of abuse and this is the county of their new or former residence.	
3. The victim's age is: ☐ Under 16 ☐ 16 or 17 ☒ 18 or over	Respondent's age is: ☐ Under 16 ☐ 16 or 17 ☒ 18 or over
4. The victim and the respondent are: ☐ Intimate Partners because they are: ☐ current or former spouses or domestic partners ☐ parents of a child-in-common ☐ age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past ☐ age 16 or older and are/were in a dating relationship, but have <i>never</i> resided together. ☒ Family or household members because they are: ☒ current or former adult cohabitants as roommates ☐ adult in-laws ☐ adults related by blood ☐ parent and child ☐ stepparent and stepchild ☐ grandparent and grandchild.	

2022.05.13 03:19

JAYSMARKET

4253976032

P 3

5. Identification of Minors (if applicable) ☐ No Minors Involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to Petitioner Respondent	Resides with

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

Case Name	20-2-0-02861-31	Nicholas Johnson Brandon Kiner	
Case Number		20-2-02861-31	
Court/County		Sup court Sno County	

I Request an Order for Protection following a hearing that will:

☒ **1. Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking ☒ me ☐ the minors named in paragraph 5 above ☐ these minors only:

(If the court orders this relief, and you and the respondent are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have never resided together, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license for the duration of the order.)

☒ **2. Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ me ☐ the minors named in paragraph 5 above ☐ only the minors listed below; ☒ members of the victim's household listed below ☐ the victim's adult children listed below: Kayla Meehan

☒ **3. Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with ☒ me ☐ the minors named in paragraph 5 above, subject to any court-ordered visitation ☐ these minors only, subject to any court-ordered visitation:

☒ **4. Exclude** respondent from ☐ our shared residence ☒ my residence ☒ my workplace ☒ my school ☐ the residence, day care, or school of ☐ the minors named in paragraph 5 above ☐ these minors only:

☒ other: Kayla Meehan

You have a right to keep your residential address confidential.

⁵ ☐ Direct respondent to vacate our shared residence and restore it to me.
⁶ ☒ Prohibit respondent from knowingly coming within, or knowingly remaining within <u>100 yards</u> (distance) of ☐ our shared residence ☒ my residence ☒ my workplace ☐ my school ☐ the day care or school of ☐ the minors named in paragraph 5 above. ☐ these minors only: ☒ other: <u>Kayla Meehan</u>
⁷ ☐ Grant me possession of essential personal belongings, including the following: <u>n/a</u>
⁸ ☐ Grant me use of the following vehicle: Year, Make & Model <u>n/a</u> License No. _____
⁹ ☐ Other: <u>n/a</u>
Protection Involving a minor:
¹⁰ ☐ Subject to any court-ordered visitation, Grant me the care, custody and control of ☐ the minors named in paragraph 5 above ☐ these minors only:
¹¹ ☐ Restrain respondent from interfering with my physical or legal custody of ☐ the minors named in paragraph 5 above ☐ these minors only:
¹² ☐ Restrain the respondent from removing from the state: ☐ the minors named in paragraph 5 above ☐ these minors only:
Additional Requests:
¹³ ☐ Direct the respondent to participate in appropriate treatment or counseling services.
¹⁴ ☒ Require the respondent to pay the fees and costs of this action.
¹⁵ ☒ Remain Effective longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Protection Involving pets:
¹⁶ ☐ Grant me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.): _____

17 ☐ **Prohibit** respondent from interfering with my efforts to remove the pet(s) named above.

18 ☒ **Prohibit** respondent from knowingly coming within, or knowingly remaining within 100 yards (distance) of the following locations where the pet(s) are regularly found:

☒ petitioner's residence (You have a right to keep your residential address confidential.)
☐ _____ Park

☐ other: _____

Protection from Firearms and Other Dangerous Weapons

19 ☐ **Require** the respondent to surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining, or possessing firearms, other dangerous weapons, or concealed pistol licenses.

Notice: If you are the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol licenses.

I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:

☒ An emergency exists as described below. I request that a Temporary Order for Protection granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.

☒ I also request temporary surrender all firearms, other dangerous weapons, and any concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

Respondent has shown aggressive and uncontrollable rage on many, many occasions.
Respondent shows no regard for laws or safety as she brought Brandon Kiner to petitioner's residence on 5-11-2020 @ 9:30pm approx. fully knowing that the petitioner had a protection order against Mr. Kiner. Respondent screamed that she knew Kiner had this from street, called police who let Brandon Kiner in house

Request for Special Assistance from Law Enforcement Agencies:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

☐ Possession of my residence. ☐ Possession of the vehicle designated above.

☐ Possession of my essential personal belongings at ☒ the shared residence

☐ respondent's residence

☐ other location _____

☐ Custody of ☐ the minors named in paragraph 5 above ☐ these minors only (if applicable):

☐ Other: _____

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

1) 5-11-2020 respondent came to petitioner's residence approximately 9:30pm pounded on door and screamed to let her in and that the protection order was against Brandon, not her and she called police. Petitioner also called the police and when police arrived they said the petitioner had to let them, the respondent and Brandon Kiner, into the house even though petitioner held protection order for him. Respondent and Kiner came into house and while in residence without police presence as the police left, they broke a bathroom door, we called the police to get it fixed but they said they weren't coming back.

2) Petitioner's family went to Lake Stevens PD in person approximately 10:50pm and spoke to Sergeant Thomas who decided they did have the order and came back and had to block respondent and Kiner into driveway so they wouldn't run and ~~to our~~ knowledge served him. Respondent and Kiner asked when they could move back in and police told them they couldn't come back without police escort.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

Respondent is not a resident of the petitioner's home. She is a guest of Brandon Kiner on occasion along with multiple other women. Respondent feels she has the right to come into home whenever she pleases. But she has no access for front door locks as she is not a resident.

Describe any violence or threats towards children: Respondent has a 4 yr old child that she does not have custody of. And has been seen driving child in car with no ~~back~~ back or side windows and no car seat.

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor:

Respondant comes to petitioner's house all times of day and night minding on door and screaming looking for Brandon Kerner. And petitioner was fearful for his safety and household safety.

Describe medical treatment you received and for what:

Petitioner's fiancé has had to receive treatment due to PTSD and anxiety from the fear for her and petitioner's safety and lives.

Describe any threats of suicide or suicidal behavior by the respondent:

Respondant has said she has a gun and has said on numerous occasions that she is going to commit suicide. Police witnessed her covered in blood that she said was her menstrual blood.

Does the respondent own or possess firearms? ☒ Yes ☐ No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

n/a

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

unknown

Is the respondent ineligible to possess a firearm under the provisions of RCW 9A.040? Please describe:

unknown

Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual? Please describe:

Yes, respondent is clearly unbalanced and aggressive and petitioner has been told by the police that she has mental problems and psycho.

Police have been called numerous times for her.

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

The respondent clearly has no perception of laws or how to obey them. She has mental issues per LSPD. The petitioner is in fear for his life and safety and for the safety of his household members. She has openly told petitioner she has a firearm and the petitioner fears retaliation from respondent due to multiple aggressive actions and from calling police on her and Brandon Kiner.

Other: Petitioner's daughter is a compromised individual in the Covid crisis per her pulmonologist at Seattle Children's due to cancer. On 5-11-2020 after Brandon Kiner had been in jail for two days the respondent brought him back to the house and now the petitioner's daughter cannot have visitation in house due to possible infection.

(Continue on separate page if necessary.)

Check box if substance abuse is involved: ☒ alcohol ☒ drugs ☐ other

☐ Personal service cannot be made upon respondent within the state of Washington. ~~Use separate page~~

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 5-12-2020 at Lake Stevens, Washington.

[Signature]
Signature of Petitioner

IMPORTANT: You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents:

CHILD CUSTODY INFORMATION SHEET NO: *2022-05-13 03:21*

If you are seeking protection for your child(ren) from domestic violence or are requesting custody of your child(ren), please answer the questions and provide the information requested in paragraphs A-E below and check the boxes about the court's jurisdiction that apply to your case:

Information for the courts:

A. Do the child(ren) listed in Paragraph 5 of the petition currently live with you? If not, with whom do the child(ren) currently live? <i>n/a</i>	☐ Yes	☐ No
B. Do you know of <u>any</u> other court cases involving the child(ren)? If known, list: the court the case number the kind of case <i>n/a</i>	☐ Yes	☐ No
C. Have you been involved in <u>any</u> other litigation concerning custody or visitation with the child(ren) in this or any other state? If known, list the court, the case number and the date the parenting plan, residential schedule, visitation schedule or custody decree was entered: <i>n/a</i>	☐ Yes	☐ No
D. Do you know of any persons, other than you and the respondent, who claims rights of custody or visitation with, the child(ren)? If known, list their names in the space provided below and their present addresses in the Confidential Information Form: <i>n/a</i>	☐ Yes	☐ No
E. List the places where the children have lived during the past five years, the dates they lived there and the persons with whom they lived. (The present addresses of those persons must be listed in the required Confidential Information Form.) <i>n/a</i>		

Respondant has children with unknown people that the court has taken custody away from her

Jurisdiction:

This court has jurisdiction over this proceeding for the reasons below: [Check all the boxes that apply to your case.]	
☐	This court has exclusive continuing jurisdiction. The court has made a child custody, parenting plan, residential schedule or visitation determination in this matter before and retains jurisdiction under RCW 26.27.211.

n/a

☐	This state is the home state of the children because: ☐ the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding. ☐ the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth. ☐ any absences from Washington have been only temporary. ☐ Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.
☐	The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and ☐ the children have no home state elsewhere. ☐ the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.
☐	All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or 271.
☐	No other state has jurisdiction.
☐	This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated 5-12-2020 at Lake Stevens, Washington

[Signature]
Petitioner

Redaction Log

Reason	Page (# of occurrences)	Description
Protection Order Law Enforcement Information Sheets	18 (1)	Redacted or withheld under RCW 42.56.240(1) as essential to effective law enforcement.

**Superior Court of Washington
For Snohomish County**

No. **20-2-02861-31**

Nicholas E. Johnson 9-21-90
Petitioner DOB

vs.

Brandon L. Kiner 7-1-89
Respondent DOB

**Temporary Order for Protection and
Notice of Hearing (TMORPRT)**
(Clerk's Action Required)

Hearing Date: 5-22-20 Time: 1:00pm or ____

Department: B

☐ In person Hearing

☒ Telephonic - If your hearing is telephonic Call
1-888-882-6578 to register for your telephonic
hearing by 2pm the day prior to your hearing.
See attached instructions.

At: 3000 Rockefeller Ave., Everett, WA 98201
Phone: 425-388-3638

Names of minors: ☐ No minors involved

First Middle Last Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: ☐ yes ☐ no
☐ unknown

The court finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm or injury.

The court orders:

- ☒ 1. Respondent is **restrained** from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking
☒ petitioner ☐ the minors named in the table above ☐ these minors only:

SA ☒ 2. Respondent is *restrained* from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ petitioner ☐ the minors named in the table above ☐ only the minors listed below ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

SA ☒ 3. Respondent is *restrained* from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with ☒ petitioner ☐ the minors named in the table above ☐ these minors only:

SA ☒ 4. Respondent is *restrained* from going onto the grounds of or entering petitioner's ☒ residence ☒ workplace ☒ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:

☐ other:

☐ Petitioner's address is confidential. ☒ Petitioner waives confidentiality of the address which is:

1117 86TH AVE NE LAKE STEVEN

☒ 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. ☐ This address is confidential. ☒ Petitioner waives confidentiality of this address which is:

SEE ABOVE

SA ☒ 6. Respondent is *prohibited* from knowingly coming within, or knowingly remaining within 100 YD (distance) of: petitioner's ☐ residence ☐ workplace ☐ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:

☐ other:

☐ 7. Petitioner shall have possession of essential personal belongings, including the following:

☐ 8. Petitioner is granted use of the following vehicle:

Year, Make & Model _____

License No. _____

☐ 9. Other: _____

Protection for minors:

☐ 10. Petitioner is *granted* the temporary care, custody, and control of ☐ the minors named in the table above ☐ these minors only:

☐ 11. Respondent is **restrained** from interfering with petitioner's physical or legal custody of
☐ the minors named in the table above ☐ these minors only:

☐ 12. Respondent is **restrained** from removing from the state ☐ the minors named in the table
above ☐ these minors only:

☐ **Surrender of Weapons Order**

The court finds that:

- ☐ irreparable injury could result if the order to surrender weapons is not issued.
- ☐ respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The Respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

(Note: Also use form number All Cases 02-030.)

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

Warnings to Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.41.040.

You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to LAKE SHELBY ☐ County Sheriff's Office
☒ Police Department *Where Petitioner Lives* which shall enter it into WACIC.

Service

- ☒ The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to LAKE SHELBY ☐ County Sheriff's Office ☒ Police Department *Where Respondent Lives* which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
☐ (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

- ☐ Law enforcement shall assist petitioner in obtaining:
☐ Possession of PETITIONER'S ☐ residence ☐ personal belongings located at: ☐ the shared residence ☐ respondent's residence ☐ other:
☐ Possession of RESPONDENT'S personal belongings located at the shared residence.
☐ other:
☐ Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
☐ Other:

The terms of this order shall be effective until: the end of the hearing, noted on page 1.

Dated: MAY 11 2020 at 1:05 a.m./p.m. [Signature]
 Judge/Commissioner

Presented by:

SUBMITTED
 Signature of Petitioner/Lawyer WSBA No. Print Name
ELEANOR CALLEY

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).

4253889826

SCSO CIVIL UNIT

07:35:13 05-13-2020

1/2

FILED

RECEIVED

2020 MAY 13 AM 7:57

RECEIVED

2020 MAY 12 AM 7:07

HEIDI PERCY
COUNTY CLERK
SNOHOMISH CO. WASH.SHERIFF'S OFFICE
SNOHOMISH COUNTY
EVERETT, WASHERIFF'S OFFICE
SNOHOMISH COUNTY
EVERETT, WASuperior Court of Washington
For Snohomish CountyNICHOLAS E. JOHNSON 8-21-1990
Petitioner (Protected Person)

vs.

BRANDON L. KINER 7-1-1989
Respondent (Restrained Person)

No. 20-2-02861-31

Return of Service
(RTS)

SERVED

Identification of server:

1. My name is SIGH LORTO. I am ☐ a peace officer.
18 years of age or older and not the petitioner or the respondent.

Able to serve:

2. I served BRANDON KINER (name of person served)

on 5/11/2020 (date) at 16:09 (time) at this address:

Snohomish County Jail, 3025 Owens Ave, Everett WA. 98201
Street Address City State

with the documents checked in paragraph 3.

List of documents:

3. I served the:

- | | |
|---|--|
| ☒ Petition Order for Protection | ☐ Motion to Modify/Terminate Order for Protection |
| ☒ Temporary Order for Protection and Notice of Hearing | ☐ Order Modifying/Terminating Order for Protection |
| ☐ Rescission of Temporary Order for Protection and Notice of Hearing | ☐ Petition to Renew Protection Order |
| ☐ Order for Protection | ☐ Order for Renewed Protection Order |
| ☐ Motion to Surrender Weapons | ☐ Notice of Hearing and/or Order Extending Protection Order |
| ☐ Order to Surrender Weapons w/o Notice | ☐ Pro Se Notice of Appearance |
| ☐ Order to Surrender Weapon | ☐ Notice to Vulnerable Adult |
| ☐ Declaration of Non-Surrender | ☒ Respondent Response & Telephonic Hearing Instructions. |
| ☐ Proof of Surrender & Receipt for Surrendered Firearms/Weapons | ☐ Other |
| ☐ Findings/Order on Review for Weapons Compliance | |

NEXT HRG:

20-0885-

5/22/20
Lak Stevens PD

4253883826

SCSO CIVIL UNIT

07:35:22 05-13-2020

2 / 2

Not able to serve:

4. ☐ I was unable to make personal service on the respondent. ☐ I notified the petitioner that respondent was not served.
☐ I was unable to make personal service on the petitioner. ☐ I notified the respondent that petitioner was not served.
☐ Personal service was attempted on the following date(s) _____

☐ No service was attempted because _____

6. Other: _____

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 5/11/2020 at EVERETT, Washington.

Fees: Service _____
Mileage _____

Total _____

SIGM 6076
Signature of Server

Snohomish County Sheriff
Law Enforcement Agency

NO CHARGE PER STATUTE

THIS RETURN OF SERVICE MUST BE RETURNED TO: 

Snohomish County Clerk's Office
Court Services Division M/S 608
1st Floor, Room C125
3000 Rockefeller Ave
Everett, WA 98201

FAX: 425-388-3127

E-MAIL: PROTECTIONORDERS@SNOCO.ORG

PHONE: 425-388-3638

Paper Service Worksheet

Confidential

Standard 74.1.1

DO NOT add identifiers or addresses to any copy of the court order.
Any writing on the order becomes a public record.

Rcvd Date: _____ Time: _____ ☐ Legal ☐ Civil ☐ Criminal*Service shall be attempted up to three business days before trial.*

Taken by: _____ Patrol notified: _____

How received:☐ Mail☐ Fax☐ Front Counter

Nature of Document: _____ Docket No. _____

Issuing Court: _____ Court Date/Time: _____ No. of Pages _____

Petitioner: Johnson, Nicholas E. Date of Birth: 09/21/1990
Contact Phone: #425-512-7368

Respondent: Kiner, Brandon L. Date of Birth: 07/01/1989
Service Address: 1117 86th Ave NE, Lake Stevens, WA 98258
Veh Make: _____ **Model:** _____ **Color:** _____ **Lic:** _____ **Parks in driveway?** Y N
Employer/Location: _____ **Hours:** _____
Wants/Warrants: ☐ Clear ☐ See Attached
Miscellaneous: _____

1) Service Attempt	Date/Time: _____	Officer: _____
2) Service Attempt	Date/Time: _____	Officer: _____
3) Service Attempt	Date/Time: _____	Officer: _____
4) Service Attempt	Date/Time: _____	Officer: _____
5) Service Attempt	Date/Time: _____	Officer: _____

Type of Service Made: ☒ Personal 5/11/20 @ 2256 hrs. Ofc. C. Lyons #134
☐ Substitute Service _____
☐ Drop Service _____

LSPD Records: _____	to update service flag in WACIC
_____	_____
After Hours Faxed _____	to update service flag in WACIC
to Snopac _____	Fax 425-407-3968
_____	_____
Mailed to Court: _____	Petitioner notified: _____
_____	_____

**Court of Washington
For Snohomish County**

Nicholas E. Johnson 09/21/90 _____
Petitioner (Protected Person) _____
vs.

Brandon Kiner 07/01/89 _____
Respondent (Restrained Person)

No.

**Return of Service
(RTS)**

Identification of server:

1. My name is Officer Lyons #134 I am ☒ a peace officer ☐ 18 years of age or older and not the petitioner or the respondent.

Able to serve:

2. ☒ I served Kiner, Brandon L. (name of person served)
on 5/11/2020 (date) at 2256 hrs (time) at this
address: 1117 86th Ave NE, Lake Stevens, WA 98258.
with the documents checked in paragraph 4.

Not able to serve:

3. ☐ I was unable to make personal service on the respondent. ☐ I notified the petitioner that respondent was not served.
- ☐ I was unable to make personal service on the petitioner. ☐ I notified the respondent that petitioner was not served.
- ☐ Personal service was attempted on the following date(s) _____

_____.
- ☐ No service was attempted because _____

_____.

☐ I mailed a copy of the documents checked in paragraph 4 to the respondent at his or her last known address: _____

☐ I did not mail the documents checked in paragraph 4 to the respondent, because I do not know the respondent's last known address.

List of documents:

4. I served the:

☐ Summons	☐ Order to Surrender Weapons Issued without Notice
☒ Petition Order for Protection	☐ Order to Surrender Weapons
☒ Temporary Order for Protection and Notice of Hearing	☐ Motion to Modify/Terminate Order for Protection
☐ Reissuance of Temporary Order for Protection and Notice of Hearing	☐ Order Modifying/Terminating Order for Protection
☐ Order for Protection	☐ Other: _____
☐ Order Realigning Parties and Notice of Hearing	_____
☐ Order Transferring Domestic Violence Case and Setting hearing	_____

5. Other:

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 5/11/2020 at Lake Stevens, Washington.

Fees: Service _____
Mileage _____

ofc. C. Lyons #134
Signature of Server

ofc. C. Lyons #134
Print or Type Name

Total _____

Lake Stevens PD
Law Enforcement Agency

FILED

2020 MAY 11 PM 1:56

HEIDI FERCY
COUNTY CLERK
SNOHOMISH CO. WASHSuperior Court of Washington
For Snohomish County

No. 20-2-02861-31

Nicholas E. Johnson 9-21-90
Petitioner DOB

vs.

Brandon Kiner 7-1-89
Respondent DOBTemporary Order for Protection and
Notice of Hearing (TMORPRT)
(Clerk's Action Required)

Hearing Date: 5-22-20 Time: 1:00pm or _____

Department: B

☐ In person Hearing☒ Telephonic - If your hearing is telephonic Call
1-888-882-8878 to register for your telephonic
hearing by 2pm the day prior to your hearing.
See attached instructions.At: 3000 Rockefeller Ave., Everett, WA 98201
Phone: 425-388-3838

Names of minors: [] No minors involved

First Middle Last Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: [] yes [] no
[] unknown

The court finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm or injury.

The court orders:

1. Respondent is *restrained* from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking
 [X] petitioner [] the minors named in the table above [] these minors only:

ENTRY:

SA ☒ 2. Respondent is **restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.01.280, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ petitioner ☐ the minors named in the table above ☐ only the minors listed below ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

SA ☒ 3. Respondent is **restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with ☒ petitioner ☐ the minors named in the table above ☐ these minors only:

SA ☒ 4. Respondent is **restrained** from going onto the grounds of or entering petitioner's ☒ residence ☒ workplace ☒ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:
☐ other:
☐ Petitioner's address is confidential. ☒ Petitioner waives confidentiality of the address which is:

1117 86TH AVE NE LAKE STEVEN

☒ 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. ☐ This address is confidential. ☒ Petitioner waives confidentiality of this address which is:

SEE ABOVE

SA ☒ 6. Respondent is **prohibited** from knowingly coming within, or knowingly remaining within 100 YD (distance) of: petitioner's ☐ residence ☐ workplace ☐ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:
☐ other:

☐ 7. Petitioner shall have possession of essential personal belongings, including the following:

☐ 8. Petitioner is granted use of the following vehicle:

Year, Make & Model _____

License No. _____

☐ 9. Other: _____

Protection for minors:

☐ 10. Petitioner is **granted** the temporary care, custody, and control of ☐ the minors named in the table above ☐ these minors only:

☐ 11. Respondent is *restrained* from interfering with petitioner's physical or legal custody of
☐ the minors named in the table above ☐ these minors only:

☐ 12. Respondent is *restrained* from removing from the state ☐ the minors named in the table
above ☐ these minors only:

☐ **Surrender of Weapons Order**

The court finds that:

- ☐ Irreparable injury could result if the order to surrender weapons is not issued.
- ☐ Respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The Respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

(Note: Also use form number All Cases 02-090.)

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

Warnings to Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.41.040.

You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

2022.05.11 22:42

JAYSMARKET

4253976032

P 18

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Date Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to LAKE STEVEN [] County Sheriff's Office
☒ Police Department *Where Petitioner Lives* which shall enter it into WACIC.

Service

☒ The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to LAKE STEVEN [] County Sheriff's Office ☒ Police Department *Where Respondent Lives* which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
☐ (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

☐ Law enforcement shall assist petitioner in obtaining:
☐ Possession of PETITIONER'S [] residence [] personal belongings located at: [] the shared residence [] respondent's residence [] other:
☐ Possession of RESPONDENT'S personal belongings located at the shared residence.
☐ other:
☐ Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
☐ Other:

The terms of this order shall be effective until: the end of the hearing, noted on page 1.

MAY 11 2020

Dated: _____ at 106 a.m./p.m.

[Signature]
 Judge/Commissioner

Presented by:

SUBMITTED

Signature of Petitioner/Lawyer WSBA No.

Print Name

ELECTRON CALL

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).

CourtCall Telephonic Hearing Instructions

1. You must call CourtCall at 1-888-882-6878 to schedule a telephonic appearance.
2. The deadline to contact CourtCall and set up a telephonic appearance is by 2:00 p.m. the day before the scheduled hearing.
3. You must provide CourtCall with: (Refer to page 1 of the Temporary Order or Reissuance Order for the following information)
 - a. Case number & Name
 - b. Date of hearing
 - c. Time of hearing
 - d. Location of hearing
4. CourtCall will schedule the telephonic appearance and will provide you with a separate call-in number and dial access code.
5. At the date and time of your hearing, call the call-in number provided to you, enter the access code provided by CourtCall and wait for further instructions.
6. Any person who has not scheduled an appearance via CourtCall by 2:00 pm the day prior to the hearing shall be deemed to have failed to appear.

Any questions should be directed to either:

Confirmations Clerk

425-388-3587

SSC-HearingConfirmations@snoco.org

Court Administration

425-388-3421

2022.05.11 22:37

JAYSMARKET

4253976032

P 2

FILED

2020 MAY 11 PM 1:54

HEIDI PERCY
COUNTY CLERK
SNOHOMISH CO, WASHSuperior Court of Washington
For Snohomish CountyNicholas E. Johnson
PetitionerBrandon L. Kiner
RespondentNo. **20-2-02861-31**Petition for Order for Protection
(PTORPRT)

1. ☒ I am a victim of domestic violence committed by the respondent.
☐ A member of my family or household is a victim of domestic violence committed by the respondent.
☐ I am a ☐ guardian ☐ guardian ad litem ☐ next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is _____
This person's identifying information is provided in paragraph 5 below.
2. ☒ The victim lives in this county.
☐ The victim left their residence because of abuse and this is the county of their new or former residence.
3. The victim's age is: Respondent's age is:
☐ Under 16 ☐ 16 or 17 ☒ 18 or over ☐ Under 16 ☐ 16 or 17 ☒ 18 or over
4. The victim and the respondent are:
☐ Intimate Partners because they are:
☐ current or former spouses or domestic partners ☐ parents of a child-in-common
☐ age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past ☐ age 16 or older and are/were in a dating relationship, but have never resided together.
☒ Family or household members because they are:
☒ current or former adult cohabitants as roommates ☐ adult in-laws ☐ adults related by blood ☐ parent and child ☐ stepparent and stepchild ☐ grandparent and grandchild.

5. Identification of Minors (If applicable) ☒ No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to Petitioner Respondent	Resides with

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

Case Name	n/a		
Case Number	n/a		
Court/County	n/a		

I Request an Order for Protection following a hearing that will:

☒ **Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking ☒ me ☐ the minors named in paragraph 5 above ☐ these minors only:

(If the court orders this relief, and you and the respondent are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have never resided together, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license for the duration of the order.)

☒ **Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.01.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ me ☐ the minors named in paragraph 5 above ☐ only the minors listed below; ☒ members of the victim's household listed below ☐ the victim's adult children listed below:

☒ **Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with ☒ me ☐ the minors named in paragraph 5 above, subject to any court-ordered visitation ☐ these minors only, subject to any court-ordered visitation:

☒ **Exclude** respondent from ☐ our shared residence ☒ my residence ☒ my workplace ☐ my school ☐ the residence, day care, or school of ☐ the minors named in paragraph 5 above ☐ these minors only:

Other: Kayla Meehan - Petitioner's fiancée - resides at residence

You have a right to keep your residential address confidential.

2022.05.11 22:37

JAYSMARKET

4253976032

P 4

☒ Direct respondent to vacate our shared residence and restore it to me.
☒ Prohibit respondent from knowingly coming within, or knowingly remaining within <u>100 feet</u> (distance) of ☐ our shared residence ☒ my residence ☒ my workplace ☐ my school ☐ the day care or school of ☐ the minors named in paragraph 5 above. ☐ these minors only: ☒ other: <u>Kayla Meehan</u>
☐ Grant me possession of essential personal belongings, including the following: <u>n/a</u>
☐ Grant me use of the following vehicle: Year, Make & Model <u>n/a</u> License No. _____
☐ Other: <u>n/a</u>
Protection involving a minor:
☐ Subject to any court-ordered visitation, Grant me the care, custody and control of ☐ the minors named in paragraph 5 above ☐ these minors only:
☐ Restrain respondent from interfering with my physical or legal custody of ☐ the minors named in paragraph 5 above ☐ these minors only:
☐ Restrain the respondent from removing from the state: ☐ the minors named in paragraph 5 above ☐ these minors only:
Additional Requests:
☐ Direct the respondent to participate in appropriate treatment or counseling services.
☒ Require the respondent to pay the fees and costs of this action.
☒ Remain Effective longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Protection involving pets:
☐ Grant me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.):

2022.05.11 22:38

JAYSMARKET

4253976032

P 5

☐ **Prohibit** respondent from interfering with my efforts to remove the pet(s) named above.

☒ **Prohibit** respondent from knowingly coming within, or knowingly remaining within 100 feet (distance) of the following locations where the pet(s) are regularly found:

☒ petitioner's residence (You have a right to keep your residential address confidential.)
☐ _____ Park

☐ other: _____

Protection from Firearms and Other Dangerous Weapons

☐ **Require** the respondent to surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining, or possessing firearms, other dangerous weapons, or concealed pistol licenses.

Notice: If you are the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol licenses.

I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:

☒ An emergency exists as described below. I request that a Temporary Order for Protection granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.

☐ I also request temporary surrender all firearms, other dangerous weapons, and any concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

Respondant has responded with assaults and threats to petitioner after each confrontation. Respondant has violent history and repeated DV assaults inside petitioner's home. The respondent runs when police are called and victim is seen to be bloodied and bruised. The petitioner is in fear of his own safety due to the violent behavior of the respondent.

Request for Special Assistance from Law Enforcement Agencies:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

☐ Possession of my residence. ☐ Possession of the vehicle designated above.

☐ Possession of my essential personal belongings at ☒ the shared residence

☐ respondent's residence

☐ other location _____

☐ Custody of ☐ the minors named in paragraph 5 above ☐ these minors only (if applicable):

☐ Other: _____

2022.05.11 22:38

JAYSMARKET

4253976032

P 5

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

1) On 5-10-2020 during an agreed inspection of respondent's room it was found that the room has been damaged by moulding food and garbage and soiled clothing. The respondent requested a 30 day notice to move which is on 5-11-2020. When asked by petitioner of his intentions, the respondent said he was not leaving. Petitioner told respondent he would be applying for a court order. Respondent then became aggressive and said "I am going to knock you out, I am going to punch you in the face" to the petitioner and his father while aggressively going after petitioner and father who felt they were going to be assaulted.
2) The petitioner gave the respondent a 30 day notice per signed agreement and per respondent's request. After this notice was given the petitioner's 3 mos old dog was very sick for 3 days due to the respondent's actions which the petitioner believes was retaliation for 30 day notice.
3) 4-11-2020 petitioner told respondent he wanted him to move due to respondent's violent nature and assaults in the home. Respondent said "You don't know me you don't know what I am capable of". The respondent was very aggressive, pushing the petitioner and hitting the walls. Also during this time the respondent made comments of taking the petitioner's dog. This made the threat several times.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

1) The respondent has been involved in numerous DV assaults with different women over the last 6 months. Two of the times the petitioner saw the victim bloodied and bruised.
2) The police have responded to DV assaults and loud screaming at night when the petitioner has heard things being broken and thrown in the room. No arrests have been made due to respondent running when police are called and police have advised petitioner that the respondent has outstanding warrants for trespassing and what is believed to be DV assaults.

Describe any violence or threats towards children: Petitioner has shared custody of his 11 year old daughter. On several occasions he has had to remove her from the house, on occasion at midnight in fear of injury to her physically and mentally due to respondent's violent nature, threats and fights within the home. The last time this occurred was 5-8-2020. This causes her a lot of stress and fear for her father.

2022.05.11 22:38

JAYSMARKET

4253976032

P 7

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

7) He has brought different people in and out of the house against the petitioner's request to not bring people around during Covid crisis. One of these people told the petitioner that she has a gun and she has threatened to commit suicide on several occasions while in the house.

8) Petitioner requests a no contact order be issued immediately as the petitioner fears for his safety and the safety of his family and property since he hears things being broken and is afraid his house is being damaged in the DV's.

9) On 5-10-2020 Lake Stevens Police advised petitioner to get a no contact order so they can take action to remove this threat from the household. They also advised that respondent has outstanding warrants when they responded to petitioner's residence, but they did not arrest him on these warrants.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

Describe any violence or threats towards children:

2022.05.11 22:39

JAYSMARKET

4253976032

P 8

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor: n/a

Describe medical treatment you received and for what: Petitioner's fiancee has had to receive psychiatric care due to the violence and threats. She has PTSD and the repeated violence and yelling is causing her trauma.

Describe any threats of suicide or suicidal behavior by the respondent: respondent's girlfriend threatens suicide all the time because of him.

Does the respondent own or possess firearms? ☐ Yes ☒ No unknown

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe: no

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe: unknown

Is the respondent ineligible to possess a firearm under the provisions of RCW 9A.1.040? Please describe: unknown

Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual? Please describe:

due to respondent's uncontrolled and violent behavior it would be a danger to petitioner and anyone around respondent

2022.05.11 22:39

JAYSMARKET

4233976032

P 9

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

The petitioner fears retaliation and revenge by the respondent due to the constant threats and violence towards petitioner and others in house. Respondent has warrants for trespassing and presumably DV. He was also arrested in Florida for DV assault.

The petitioner requests the court to look into respondent's warrants to help protect the safety of the petitioner. The petitioner does not have the resources to do this himself. Other: The petitioner's daughter has had cancer and he has a letter from her pulmonologist saying that she is a compromised individual in the Covid crisis. The respondent brings people into the home that could affect the petitioner's daughter.

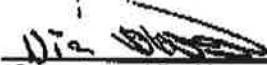
(Continue on separate page if necessary.)

Check box if substance abuse is involved: ☐ alcohol ☐ drugs ☐ other

☐ Personal service cannot be made upon respondent within the state of Washington.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 5-10-2020 at Lake Stevens, Washington.


Signature of Petitioner

IMPORTANT: You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents:

FILED

2022 MAY 11 PM 1:54

JUDICIAL CLERK
COUNTY CLERK
SNOHOMISH CO. WASHSuperior Court of Washington
For Snohomish County

No. 20-2-02861-31

Nicholas E. Johnson 9-21-90
Petitioner DOB

vs.

Brandon L. Kiner 7-1-89
Respondent DOBTemporary Order for Protection and
Notice of Hearing (TMORPT)
(Clark's Action Required)

Hearing Date: 5-22-20 Time: 1:00pm or ____

Department: B

☐ In person Hearing☒ Telephonic - If your hearing is telephonic Call
1-888-882-8878 to register for your telephonic
hearing by 2pm the day prior to your hearing.
See attached Instructions.At: 3000 Rockefeller Ave., Everett, WA 98201
Phone: 425-388-3638Names of minors: ☐ No minors involved
First Middle Last Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: ☐ yes ☐ no
☐ unknown

The court finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm or injury.

The court orders:

- ☒ 1. Respondent is *restrained* from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking
☒ petitioner ☐ the minors named in the table above ☐ these minors only:

ENTRY:

SK 2. Respondent is **restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.01.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ petitioner ☐ the minors named in the table above ☐ only the minors listed below ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

SA 3. Respondent is **restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with ☒ petitioner ☐ the minors named in the table above ☐ these minors only:

SA 4. Respondent is **restrained** from going onto the grounds of or entering petitioner's ☒ residence ☒ workplace ☒ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:

☐ other:

☐ Petitioner's address is confidential. ☒ Petitioner waives confidentiality of the address which is:

1117 86th AVE NE LAKE STEVEN

5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. ☐ This address is confidential. ☒ Petitioner waives confidentiality of this address which is:

SEE ABOVE

SA 6. Respondent is **prohibited** from knowingly coming within, or knowingly remaining within 100 YDS (distance) of: petitioner's ☐ residence ☐ workplace ☐ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:

☐ other:

☐ 7. Petitioner shall have possession of essential personal belongings, including the following:

☐ 8. Petitioner is granted use of the following vehicle:
Year, Make & Model _____

License No. _____

☐ 9. Other: _____

Protection for minors:

☐ 10. Petitioner is **granted** the temporary care, custody, and control of ☐ the minors named in the table above ☐ these minors only:

☐ 11. Respondent is *restrained* from interfering with petitioner's physical or legal custody of
☐ the minors named in the table above ☐ these minors only:

☐ 12. Respondent is *restrained* from removing from the state ☐ the minors named in the table
above ☐ these minors only:

☐ **Surrender of Weapons Order**

The court finds that:

- ☐ irreparable injury could result if the order to surrender weapons is not issued.
- ☐ respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The Respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

(Note: Also use form number All Cases 02-030.)

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

Warnings to Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.1.040.

You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Date Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to LAKE SHELBY [] County Sheriff's Office
☒ Police Department *Where Petitioner Lives* which shall enter it into WACIC.

Service

- ☒ The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to LAKE SHELBY [] County Sheriff's Office ☒ Police Department *Where Respondent Lives* which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
☐ (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

- ☐ Law enforcement shall assist petitioner in obtaining:
☐ Possession of PETITIONER'S [] residence [] personal belongings located at: [] the shared residence [] respondent's residence [] other:
☐ Possession of RESPONDENT'S personal belongings located at the shared residence.
☐ other:
☐ Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
☐ Other:

The terms of this order shall be effective until: the end of the hearing, noted on page 1.

MAY 11 2020

Dated: _____ at 1:05 a.m./p.m. [Signature]
 Judge/Commissioner

Presented by:

SUBMITTED

Signature of Petitioner/Lawyer ELECTRONICALLY WSBA No. _____

Print Name _____

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).

FILED

2020 MAY 11 PM 1:54

HEIDI PERCY
COUNTY CLERK
SNOHOMISH CO. WASHSuperior Court of Washington
For Snohomish County

No. 20-2-02861-31

Nicholas E. Johnson 9-21-90
Petitioner DOB

vs.

Brandon L. Kiner 7-1-89
Respondent DOBTemporary Order for Protection and
Notice of Hearing (TMORPRT)
(Clerk's Action Required)

Hearing Date: 5-22-20 Time: 1:00pm or

Department: B

☐ In person Hearing☒ Telephonic - If your hearing is telephonic Call
1-888-882-8878 to register for your telephonic
hearing by 2pm the day prior to your hearing.
See attached instructions.At: 3000 Rockefeller Ave., Everett, WA 98201
Phone: 425-388-3838Names of minors: ☐ No minors involved

First Middle Last Age

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Caution: Access to weapons: ☐ yes ☐ no
☐ unknown

The court finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm or injury.

The court orders:

1. Respondent is **restrained** from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking
☒ petitioner ☐ the minors named in the table above ☐ these minors only:

ENTRY:

2022-05-11 22:41

JAYSMARKET

4253976032

P 16

SA ☒ 2. Respondent is *restrained* from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ petitioner ☐ the minors named in the table above ☐ only the minors listed below ☐ members of the victim's household listed below ☐ the victim's adult children listed below:

SA ☒ 3. Respondent is *restrained* from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with ☒ petitioner ☐ the minors named in the table above ☐ these minors only:

SA ☒ 4. Respondent is *restrained* from going onto the grounds of or entering petitioner's ☒ residence ☒ workplace ☒ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:
☐ other:
☐ Petitioner's address is confidential. ☒ Petitioner waives confidentiality of the address which is:

1117 86TH AVE NE LAKE STATION

☒ 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. ☐ This address is confidential. ☒ Petitioner waives confidentiality of this address which is:

SEE ABOVE

SA ☒ 6. Respondent is *prohibited* from knowingly coming within, or knowingly remaining within 100 YD (distance) of: petitioner's ☐ residence ☐ workplace ☐ school ☐ the day care or school of ☐ the minors named in the table above ☐ these minors only:

☐ other:

☐ 7. Petitioner shall have possession of essential personal belongings, including the following:

☐ 8. Petitioner is granted use of the following vehicle:

Year, Make & Model _____

License No. _____

☐ 9. Other: _____

Protection for minors:

☐ 10. Petitioner is *granted* the temporary care, custody, and control of ☐ the minors named in the table above ☐ these minors only:

☐ 11. Respondent is **restrained** from interfering with petitioner's physical or legal custody of
☐ the minors named in the table above ☐ these minors only:

☐ 12. Respondent is **restrained** from removing from the state ☐ the minors named in the table
above ☐ these minors only:

☐ **Surrender of Weapons Order**

The court finds that:

- ☐ Irreparable injury could result if the order to surrender weapons is not issued.
- ☐ Respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The Respondent must comply with the **Order to Surrender Weapons Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

(Note: Also use form number All Cases 02-030.)

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

Warnings to Respondent: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(5). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9A.41.040.

You Can Be Arrested Even If the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

2022.05.11 22:42

JAYSMARKET

4253976032

P 18

Warning: A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

Washington Crime Information Center (WACIC) Date Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to LAKE STEVEN [] County Sheriff's Office [X] Police Department Where Petitioner Lives which shall enter it into WACIC.

Service

- [X] The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to LAKE STEVEN [] County Sheriff's Office [X] Police Department Where Respondent Lives which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
- [] (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

- [] Law enforcement shall assist petitioner in obtaining:
- [] Possession of PETITIONER'S [] residence [] personal belongings located at: [] the shared residence [] respondent's residence [] other:
- [] Possession of RESPONDENT'S personal belongings located at the shared residence.
- [] other:
- [] Custody of the above-named minor, including taking physical custody for delivery to petitioner (if applicable).
- [] Other:

The terms of this order shall be effective until: the end of the hearing, noted on page 1.

MAY 11 2020

Dated: _____ at 10:00 a.m./p.m.

[Signature]
Judge/Commissioner

Presented by:

SUBMITTED

Signature of Petitioner/Lawyer WSBA No.

Print Name

ELECTRONICALLY

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).

CourtCall Telephonic Hearing Instructions

1. You must call CourtCall at 1-888-882-6878 to schedule a telephonic appearance.
2. The deadline to contact CourtCall and set up a telephonic appearance is by 2:00 p.m. the day before the scheduled hearing.
3. You must provide CourtCall with: (Refer to page 1 of the Temporary Order or Reissuance Order for the following information)
 - a. Case number & Name
 - b. Date of hearing
 - c. Time of hearing
 - d. Location of hearing
4. CourtCall will schedule the telephonic appearance and will provide you with a separate call-in number and dial access code.
5. At the date and time of your hearing, call the call-in number provided to you, enter the access code provided by CourtCall and wait for further instructions.
6. Any person who has not scheduled an appearance via CourtCall by 2:00 pm the day prior to the hearing shall be deemed to have failed to appear.

Any questions should be directed to either:

Confirmations Clerk

425-388-3587

Court Administration

SSC-HearingConfirmations@snoco.org

425-388-3421

2022.05.11 22:37

JAYSMARKET

4253976032

P 2

FILED

2020 MAY 11 PM 1:54

HEIDI PERCY
COUNTY CLERK
SNOHOMISH CO, WASH**Superior Court of Washington
For Snohomish County**Nicholas E. Johnson
PetitionerBrandon L. Kiner
RespondentNo. **20-2-02861-31**Petition for Order for Protection
(PTORPRT)

1. ☒ I am a victim of domestic violence committed by the respondent.
☐ A member of my family or household is a victim of domestic violence committed by the respondent.
☐ I am a ☐ guardian ☐ guardian ad litem ☐ next friend of a minor who is 13 to 18 years of age and is a victim of domestic violence in a dating relationship with a person age 18 or older. The name of the minor victim is _____
This person's identifying information is provided in paragraph 5 below.
2. ☒ The victim lives in this county.
☐ The victim left their residence because of abuse and this is the county of their new or former residence.
3. The victim's age is: Respondent's age is:
☐ Under 16 ☐ 16 or 17 ☒ 18 or over ☐ Under 16 ☐ 16 or 17 ☒ 18 or over
4. The victim and the respondent are:
☐ Intimate Partners because they are:
☐ current or former spouses or domestic partners ☐ parents of a child-in-common
☐ age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past ☐ age 16 or older and are/were in a dating relationship, but have never resided together.
☒ Family or household members because they are:
☒ current or former adult cohabitants as roommates ☐ adult in-laws ☐ adults related by blood ☐ parent and child ☐ stepparent and stepchild ☐ grandparent and grandchild.

2022.05.11 22:37

JAYSMARKET

4253976032

P 3

5. Identification of Minors (if applicable) ☒ No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to Petitioner Respondent	Resides with

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

Case Name	n/a		
Case Number	n/a		
Court/County	n/a		

I Request an Order for Protection following a hearing that will:

☒ **1** **Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking ☒ me ☐ the minors named in paragraph 5 above ☐ these minors only:

(If the court orders this relief, and you and the respondent are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have never resided together, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license for the duration of the order.)

☒ **2** **Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.01.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of ☒ me ☐ the minors named in paragraph 5 above ☐ only the minors listed below; ☒ members of the victim's household listed below ☐ the victim's adult children listed below:

☒ **3** **Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with ☒ me ☐ the minors named in paragraph 5 above, subject to any court-ordered visitation ☐ these minors only, subject to any court-ordered visitation:

☒ **4** **Exclude** respondent from ☐ our shared residence ☒ my residence ☒ my workplace ☐ my school ☐ the residence, day care, or school of ☐ the minors named in paragraph 5 above ☐ these minors only:

Other: Kayla Meehan - Petitioner's fiancé resides at residence

You have a right to keep your residential address confidential.

2022.05.11 22:37

JAYSMARKET

4253976032

P 4

☒ Direct respondent to vacate our shared residence and restore it to me.
☒ Prohibit respondent from knowingly coming within, or knowingly remaining within <u>100 feet</u> (distance) of ☐ our shared residence ☒ my residence ☒ my workplace ☐ my school ☐ the day care or school of ☐ the minors named in paragraph 5 above. ☐ these minors only: ☒ other: <u>Kayla Meehan</u>
☐ Grant me possession of essential personal belongings, including the following: <u>n/a</u>
☐ Grant me use of the following vehicle: Year, Make & Model <u>n/a</u> License No. _____
☐ Other: <u>n/a</u>
Protection Involving a minor:
☐ Subject to any court-ordered visitation, Grant me the care, custody and control of ☐ the minors named in paragraph 5 above ☐ these minors only:
☐ Restrain respondent from interfering with my physical or legal custody of ☐ the minors named in paragraph 5 above ☐ these minors only:
☐ Restrain the respondent from removing from the state: ☐ the minors named in paragraph 5 above ☐ these minors only:
Additional Requests:
☐ Direct the respondent to participate in appropriate treatment or counseling services.
☒ Require the respondent to pay the fees and costs of this action.
☒ Remain Effective longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Protection Involving pets:
☐ Grant me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.): _____

2022.05.11 22:38

JAYSMARKET

4253976032

P 5

☐ **Prohibit** respondent from interfering with my efforts to remove the pet(s) named above.

☒ **Prohibit** respondent from knowingly coming within, or knowingly remaining within 100 feet (distance) of the following locations where the pet(s) are regularly found:

☒ petitioner's residence (You have a right to keep your residential address confidential.)

☐ _____ Park

☐ other: _____

Protection from Firearms and Other Dangerous Weapons

☐ **Require** the respondent to surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining, or possessing firearms, other dangerous weapons, or concealed pistol licenses.

Notice: If you are the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol licenses.

I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:

☒ An emergency exists as described below. I request that a **Temporary Order for Protection** granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.

☐ I also request temporary surrender all firearms, other dangerous weapons, and any concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

Respondant has responded with assaults and threats to petitioner after each confrontation. Respondant has violent history and repeated DV assaults inside petitioner's home. The respondent runs when police are called and victim is seen to be bloodied and bruised. The petitioner is in fear of his own safety due to the violent behavior of the respondent.

Request for Special Assistance from Law Enforcement Agencies:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- ☐ Possession of my residence. ☐ Possession of the vehicle designated above.
- ☐ Possession of my essential personal belongings at ☒ the shared residence
- ☐ respondent's residence
- ☐ other location _____

☐ Custody of ☐ the minors named in paragraph 5 above ☐ these minors only (if applicable):

☐ Other: _____

2022.05.11 22:38

JAYSMARKET

4253976032

P 6

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

1) On 5-10-2020 during an agreed inspection of respondent's room it was found that the room has been damaged by moulding food and garbage and soiled clothing. The respondent requested a 30 day notice to move which is on 5-11-2020. When asked by petitioner of his intentions, the respondent said he was not leaving. Petitioner told respondent he would be applying for a court order. Respondent then became aggressive and said "I am going to knock you out, I am going to punch you in the face" to the petitioner and his father while aggressively going after petitioner and father who felt they were going to be assaulted.
 2) The petitioner gave the respondent a 30 day notice per signed agreement and per respondent's request. After this notice was given the petitioner's 3 mos old dog was very sick for 3 days due to the respondent's actions which the petitioner believes was retaliation for 30 day notice.
 3) 4-11-2020 petitioner told respondent he wanted him to move due to respondent's violent nature and assaults in the home. Respondent said "You don't know me you don't know what I am capable of". The respondent was very aggressive, pushing the petitioner and hitting the walls. Also during this time the respondent made comments of taking the petitioner's dog. This made the threat several times.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

1) The respondent has been involved in numerous DV assaults with different women over the last 6 months. Two of the times the petitioner saw the victim bloodied and bruised.
 2) The police have responded to DV assaults and loud screaming at night when the petitioner has heard things being broken and thrown in the room. No arrests have been made due to respondent running when police are called and police have advised petitioner that the respondent has outstanding warrants for trespassing and what is believed to be DV assaults.

Describe any violence or threats towards children: Petitioner has shared custody of his 11 year old daughter. On several occasions he has had to remove her from the house on occasion at midnight in fear of injury to her physically and mentally due to respondent's violent nature threats and fights within the home. The last time this occurred was 5-8-2020. This causes her a lot of stress and fear for her father.

2022.03.11 22:38

JAYSMARKET

4253976032

P 7

"Domestic violence" means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

Statement: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent:

- 7) He has brought different people in and out of the house against the petitioner's request to not bring people around during Covid crisis. One of these people told the petitioner that she has a gun and she has threatened to commit suicide on several occasions while in the house.
- 8) Petitioner requests a no contact order be issued immediately as the petitioner fears for his safety and the safety of his family and property since he hears things being broken and is afraid his house is being damaged in the DV's.

On 5-10-2020 Lake Stevens Police advised petitioner to get a no contact order so they can take action to remove this threat from the household. They also advised that respondent has outstanding warrants when they responded to petitioner's residence, but they did not arrest him on these warrants.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

Describe any violence or threats towards children:

2022.05.11 22:39

JAYSMARKET

4253976032

P 8

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor: n/a

Describe medical treatment you received and for what: Petitioner's fiancé has had to receive psychiatric care due to the violence and threats. She has PTSD and the repeated violence and yelling is causing her trauma.

Describe any threats of suicide or suicidal behavior by the respondent: respondent's girlfriend threatens suicide all the time because of him.

Does the respondent own or possess firearms? ☐ Yes ☒ No unknown

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe: no

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe: unknown

Is the respondent ineligible to possess a firearm under the provisions of RCW 9A.040? Please describe: unknown

Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual? Please describe:

due to respondent's uncontrolled and violent behavior it would be a danger to petitioner and anyone around respondent

2022.05.11 22:39

JAYSMARKET

4253976032

P 9

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

The petitioner fears retaliation and revenge by the respondent due to the constant threats and violence towards petitioner and others in house. Respondent has warrants for trespassing and presumably DV. He was also arrested in Florida for DV assault.

The petitioner requests the court to look into respondent's warrants to help protect the safety of the petitioner. The petitioner does not have the resources to do this himself. Other: The petitioner's daughter has had cancer and he has a letter from her pulmonologist saying that she is a compromised individual in the Covid crisis. The respondent brings people into the home that could affect the petitioner's daughter.

(Continue on separate page if necessary.)

Check box if substance abuse is involved: ☐ alcohol ☐ drugs ☐ other

☐ Personal service cannot be made upon respondent within the state of Washington.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: 5-10-2020 at Lake Stevens, Washington.

[Signature]
Signature of Petitioner

IMPORTANT: You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents:

FAX COVER SHEET

Phone 425-622-9401 Fax 425-334-9842



TO:		FAX:	425-388-3826
FROM:	LSPD Records	DATE:	5/11/2020
CC:		PAGES:	15
RE: FOR SERVICE ON RESPONDENT CURRENTLY AT SCSO JAIL			

☐ WHEN THIS BOX IS CHECKED, THE FOLLOWING IS **CONFIDENTIAL POLICE INFORMATION** AND MAY NOT BE DISSEMINATED.

[illegible]

 *** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	3031
DESTINATION ADDRESS	4253883826
SUBADDRESS	
DESTINATION ID	
ST. TIME	05/11 15:18
TX/RX TIME	03' 58
PGS.	15
RESULT	OK

LAKE STEVENS POLICE DEPARTMENT

FAX COVER SHEET

John Dyer Chief of Police

2211 Grade Road

Lake Stevens WA 98258

Phone 425-622-9401 Fax 425-334-9842



TO:		FAX:	425-388-3826
FROM:	LSPD Records	DATE:	5/11/2020
CC:		PAGES:	15
RE: FOR SERVICE ON RESPONDENT CURRENTLY AT SCSO JAIL			

WHEN THIS BOX IS CHECKED, THE FOLLOWING IS **CONFIDENTIAL POLICE INFORMATION** AND MAY NOT BE DISSEMINATED.

[illegible]

Redaction Log

Reason	Page (# of occurrences)	Description
Protection Order Law Enforcement Information Sheets	6 (1) 24 (1)	Redacted or withheld under RCW 42.56.240(1) as essential to effective law enforcement.