

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Janifer McCoy
Plaintiff

vs.

Carl Swinard
Defendant

Case No. 21DM 3595

Defendant address:

PERSONAL SERVICE ONLY

5107 E. Kellogg
Wichita KS

SUMMONS AND NOTICE OF HEARING FOR PROTECTION ORDER

To the above-named defendant:

You are notified that the attached petition for protection was filed against you in this court and that the court has entered the attached temporary orders, or has not entered temporary orders against you.

A hearing on this matter has been scheduled on:

Date: 7-22, 2021
Time: 9:00 a.m. p.m.

Place: Sedgwick County Courthouse, 525 N Main, Wichita, KS 67203, 1st Floor Jury Room.

Children are not allowed in the courtroom during this docket.

If you do not attend the hearing, final orders may be issued against you. You may appear and cross-examine the plaintiff's witnesses and present evidence as to why the orders sought should not be granted. You may file an answer or counter-petition but are not required to do so. You have the right to appear with or without an attorney.

Date: 7-7-21



Debbie Prohaska
Clerk of the District Court/Deputy

RETURN OF SERVICE OF SUMMONS

I certify under penalty of perjury that I have served this summons and notice of hearing:
By personally delivering on the _____ day of _____, 20____, at _____: _____ a.m. p.m.,
a copy of the summons and a copy of the petition and temporary orders (if any) to the above named defendant.

All done in _____ County, Kansas.

I certify under penalty of perjury that I was not able to personally serve this summons and notice of hearing.

Date: _____

Sheriff/Deputy



2021 Jul 07 AM 10:08

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS
PROTECTION FROM STALKING, SEXUAL ASSAULT, OR HUMAN TRAFFICKING (K.S.A. 60-3101 et seq.)

CASE NUMBER: 2021-DM-003595-PS

Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking

Judge or Division: Division 17	Case Number: Court ORI Number:
Plaintiff: <u>Jennifer McCoy</u> vs.	Protected Person Identifiers: Name: <u>Jennifer McCoy</u> Year of Birth: <u>1972</u> Sex: <u>F</u>

21DM 3595

Defendant: <u>Leah Swanson</u> Address: <u>5107 E. Kellogg</u> <u>Wichita KS 67203</u>	Defendant Identifiers: <table border="1"> <tr> <td>SEX</td> <td>RACE</td> <td>YOB</td> <td>HT</td> <td>WT</td> </tr> <tr> <td>Male</td> <td><u>W</u></td> <td></td> <td></td> <td><u>250</u></td> </tr> <tr> <td>HAIR</td> <td>EYES</td> <td colspan="3">LAST 4 DIGITS OF SSN (IF KNOWN)</td> </tr> <tr> <td></td> <td></td> <td colspan="3"></td> </tr> <tr> <td>DRIVERS LICENSE #</td> <td>DL STATE</td> <td colspan="3">DL EXP. DATE</td> </tr> <tr> <td></td> <td><u>KS</u></td> <td colspan="3"></td> </tr> </table>	SEX	RACE	YOB	HT	WT	Male	<u>W</u>			<u>250</u>	HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)								DRIVERS LICENSE #	DL STATE	DL EXP. DATE				<u>KS</u>			
SEX	RACE	YOB	HT	WT																											
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HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)																													
DRIVERS LICENSE #	DL STATE	DL EXP. DATE																													
	<u>KS</u>																														

Protected Person: Jennifer McCoy (name)

This order and its terms are directed at and apply to Defendant only.

THIS TEMPORARY ORDER SHALL REMAIN IN EFFECT UNTIL SERVICE OF THE FINAL ORDER OR UNTIL TERMINATED BY ORDER OF THE COURT.

ONLY THE COURT CAN CHANGE THIS ORDER.

The Court Finds: (Only the provision(s) initialed by the judge apply.)

LDK Plaintiff filed a written verified petition on July 6, 2021 requesting a Temporary Order of Protection from Stalking, Sexual Assault, and Human Trafficking.

LDK This Court has jurisdiction over Plaintiff, Defendant and subject matter.

LDK Plaintiff has established a *prima facie* case of stalking, sexual assault, or human trafficking sufficient for the court to issue a temporary order of protection from stalking, sexual assault, or human trafficking.

LDK A hearing has been set for 7-22, 2021, at 9:00 a.m. p.m. at Sedgwick County District Court, 525 N Main, Wichita KS 67203. 1st Floor Jury Room (Court) and summons has been issued.



Order

The Court Orders:

- Plaintiff's address and telephone number shall remain confidential for the protection of the Protected Person.
- Defendant shall not follow, harass, abuse, molest, assault, threaten, stalk, or interfere with the privacy rights of the Protected Person, and the Protected Person's family or household. [NCIC 01 & 02]
- Defendant shall not enter or come on or around the premises, the residence, the property, school, or place of employment of the Protected Person or other family or household member. [NCIC 04]
- Defendant shall not communicate in any manner with the Protected Person, the Protected Person's employer, employees, fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the Protected Person. [NCIC 05]
- Defendant shall not direct or request another to contact the Protected Person, either directly or indirectly. [NCIC 04 & 05]
- Defendant shall not commit or attempt to commit a nonconsensual sexual act against the Protected Person.
- Defendant shall not commit or attempt to commit a sexual act against the Protected Person by force, threat of force, duress, or when the Protected Person is incapable of giving consent.
- Defendant shall not follow, harass, telephone, contact, recruit, harbor, transport, or commit or attempt to commit human trafficking upon the Protected Person.

CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA):

This Order meets all the requirements of the Violence Against Women Act, 18 U.S.C. § 2265. This Court has jurisdiction of the parties and the subject matter; Defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of Kansas. This Order is enforceable in all 50 states, the District of Columbia, all Indian tribal courts and all United States territories and shall be enforced as if it were an order of that jurisdiction pursuant to 18 U.S.C. § 2265.

Additional terms of this order are set forth below, if any.

Other Provisions:


____ 1. Other orders necessary to promote the safety of the Protected Person:

- _____
- _____
- _____
- _____
- _____

SO ORDERED:

July 6, 2021

Date


Judge of the District Court

WARNINGS TO DEFENDANT

- This order is effective when signed by the judge. Law enforcement officials shall immediately enforce this order.
- Violation of this order may constitute an offense under chapter 21 of the Kansas Statutes Annotated, including, but not limited to: violation of a protective order as provided in K.S.A. 21-5924, and amendments thereto; a sex offense under article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; stalking as provided in K.S.A. 21-5427, and amendments thereto; assault as provided in K.S.A. 21-5412(a), and amendments thereto; battery as provided in K.S.A. 21-5413(a), and amendments thereto; and criminal trespass as provided in K.S.A. 21-5808(a)(1)(C), and amendments thereto, and may result in prosecution and conviction under Kansas criminal statutes.
- Violation of this order may also be punishable as contempt of this court.
- If Defendant has a concealed carry license, that license is subject to revocation pursuant to K.S.A. 75-7c07, and amendments thereto. After a defendant's concealed carry license has been revoked, continuing to carry a concealed weapon may constitute a violation of K.S.A. 21-6302, and amendments thereto.
- Violation of this order may subject Defendant to prosecution for such federal crimes, including but not limited to: Interstate travel to commit domestic violence; Interstate stalking; and Interstate violation of a protection order.

Notice of Extension of this Temporary Order**(Pursuant to K.S.A. 60-31a05)**

If a hearing on the petition for protection is continued, the court may extend this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking for additional periods of time as it deems necessary.

Notice of Default**(Pursuant to K.S.A. 60-255)**

If you fail to appear at the hearing, a default order may be entered against you and this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking may turn into a Final Protection from Stalking, Sexual Assault, or Human Trafficking without further notice to you.

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Jennifer McCoy
Plaintiff

vs.

Carl Swinney
Defendant

Case No. 21DM 3595

Petition Pursuant to K.S.A. Chapter 60

**PETITION FOR PROTECTION FROM STALKING, SEXUAL ASSAULT,
OR HUMAN TRAFFICKING ORDER**
(K.S.A. 60-31a01 *et seq.*)

1. Plaintiff seeks an order for protection from stalking, sexual assault, or human trafficking for:

myself;

OR

b a minor child (under age 18)

Plaintiff is:

- the parent of the child
- an adult who resides with the child
- the child's court appointed legal custodian
- the child's court-appointed legal guardian
- a county or district attorney
- the Kansas attorney general

The minor child's name and year of birth are:

Minor Child's Name: _____

Year of Birth: _____

2. Defendant can be served at: *(please provide all available addresses)*

HOME: street 5107 E. Kellogg city Wichita
state KS zip code 6703 phone number 316-260-6934
times when defendant is usually there M-5 7-7 PM



210M 3595

WORK: street Same city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

OTHER: street _____ city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

- 4. If the defendant is a minor, a Minor Defendant Addendum is attached.
- 5. List any other related court cases involving Plaintiff, minor child (if applicable), or Defendant.
(give type of case, county filed in, case number and date filed, if known)

Plaintiff:

Minor Child:

Defendant:

- 6. Select and complete either section A, B, or C. Attach more pages as needed.

A. Describe the incidents of stalking. Include specific facts, dates and locations:

Incident #1: Coming out to PUBLIC Sidewalk
and threatening me with Harm
after accusations and physically
placing himself between myself
and client in vehicle.
Feb 5, 2020

21DM 3595

U-24-2021

Incident #2: Coming Back out on public
sidewalk and threatening myself
with paper work that he'd send
He had been terminated before February
Additional Incident(s), if any:

He was convicted of Assaulting
me and there was a three
and a half year no contact order
ended in May 2021

OR

B. Describe the incident of sexual assault. Include specific facts, dates and locations:

U-24-2021

Carl came out to sidewalk
to collect paper work that blew
out of a book after he said
he was going to take it inside
the clinic where he works to continue
at before returning the papers.

OR

C. Describe the incident of human trafficking. Include specific facts, dates, and locations:

Carl has put his name on
his gun. He is threatening with
a gun to shoot myself
and others. I have
video proof and pics

Feb 5. 2021

21 DM 3595

7. Plaintiff/child needs a protection from stalking, sexual assault, or human trafficking order because: _____

8. Plaintiff requests that the court issue an ex parte Temporary Order of Protection and Final Order of Protection restraining defendant from:

- abusing, molesting or interfering with the privacy or rights of the protected person.
- following, harassing, telephoning, contacting or otherwise communicating with the protected person.
- committing or attempting to commit a sexual assault upon the protected person.
- following, harassing, telephoning, contacting, recruiting, harboring, transporting, or committing or attempting to commit human trafficking upon the protected person.
- entering or coming around the residence or area of the protected person.
- other: From retaliating to shoot or
- other: Biological Terrorism.

9. (Check box if you are asking for the transfer of wireless telephone numbers. Leave box blank if you are not asking for the transfer of wireless telephone numbers.)

Plaintiff asks the court to order the transfer of rights to and billing responsibility for the wireless telephone number of Plaintiff and/or minor child(ren) in the care of Plaintiff.

10. The court should give copies of orders to the appropriate law enforcement agencies; set a date, time and hearing on this matter; and issue summons to Defendant, notifying Defendant of this action and the relief requested.

11. After a hearing, the court should issue a Final Order of Protection from Stalking, Sexual Assault, or Human Trafficking prohibiting Defendant from committing any acts of stalking, sexual assault, or human trafficking against the protected person; order Defendant to pay court costs and attorney fees if appropriate; and order any other relief necessary for the safety of the protected person including:

21DM 3595

VERIFICATION

I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 7-10, 2021.

Jennifer McCoy
Plaintiff's Signature

Plaintiff's Name: Jennifer McCoy

(DO NOT include the residential address of Plaintiff in this petition. Plaintiff must complete the Protection from Stalking, Sexual Assault, or Human Trafficking Confidential Information form and include it with this petition.)

Attorney representing Plaintiff (if any)

Attorney's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone: _____

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Jennifer McCoy
Plaintiff

vs.

Carl Swannick
Defendant

Case No. 21DM 3595

Defendant address:

PERSONAL SERVICE ONLY

5107 E Kellogg
Wichita KS

SUMMONS AND NOTICE OF HEARING FOR PROTECTION ORDER

To the above-named defendant:

You are notified that the attached petition for protection was filed against you in this court and that the court has entered the attached temporary orders, or has not entered temporary orders against you.

A hearing on this matter has been scheduled on:

Date: 7-22, 2021
Time: 9:00 a.m. p.m.

Place: Sedgwick County Courthouse, 525 N Main, Wichita, KS 67203, 1st Floor Jury Room.

Children are not allowed in the courtroom during this docket.

If you do not attend the hearing, final orders may be issued against you. You may appear and cross-examine the plaintiff's witnesses and present evidence as to why the orders sought should not be granted. You may file an answer or counter-petition but are not required to do so. You have the right to appear with or without an attorney.

Date: 7-7-21



Debbie Prohman
Clerk of the District Court/Deputy

RETURN OF SERVICE OF SUMMONS

I certify under penalty of perjury that I have served this summons and notice of hearing: By personally delivering on the _____ day of _____, 20____, at _____: _____ a.m. p.m., a copy of the summons and a copy of the petition and temporary orders (if any) to the above named defendant.

All done in _____ County, Kansas.

I certify under penalty of perjury that I was not able to personally serve this summons and notice of hearing.

Date: _____

Sheriff/Deputy



2021 Jul 07 AM 10:08

IN THE DISTRICT COURT OF SEDGWICK COUNTY THE ANNE ARKWAY COUNTY DISTRICT COURT
Protection from Stalking, Sexual Assault, or Human Trafficking (K.S.A. 60-51a01 et seq.)

CASE NUMBER: 2021 DM 093595 PS

Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking

Judge or Division: Division 17	Case Number: Court ORI Number:
Plaintiff: <u>Jennifer McCloy</u> vs.	Protected Person Identifiers: Name: <u>Jennifer McCloy</u> Year of Birth: <u>1972</u> Sex: <u>F</u>

21DM 3595

Defendant: <u>Carl Starnoy</u> Address: <u>5107 E. Kelllogg</u> <u>Wichita KS 67203</u>	Defendant Identifiers: <table border="1"> <tr> <td>SEX</td> <td>RACE</td> <td>YOB</td> <td>HT</td> <td>WT</td> </tr> <tr> <td>Male</td> <td><u>W</u></td> <td></td> <td></td> <td><u>250</u></td> </tr> <tr> <td>HAIR</td> <td>EYES</td> <td colspan="3">LAST 4 DIGITS OF SSN (IF KNOWN)</td> </tr> <tr> <td></td> <td></td> <td colspan="3"></td> </tr> <tr> <td>DRIVERS LICENSE #</td> <td>DL STATE</td> <td colspan="3">DL EXP. DATE</td> </tr> <tr> <td></td> <td><u>KS</u></td> <td colspan="3"></td> </tr> </table>	SEX	RACE	YOB	HT	WT	Male	<u>W</u>			<u>250</u>	HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)								DRIVERS LICENSE #	DL STATE	DL EXP. DATE				<u>KS</u>			
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HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)																													
DRIVERS LICENSE #	DL STATE	DL EXP. DATE																													
	<u>KS</u>																														

Protected Person: Jennifer McCloy (name)

This order and its terms are directed at and apply to Defendant only.

THIS TEMPORARY ORDER SHALL REMAIN IN EFFECT UNTIL SERVICE OF THE FINAL ORDER OR UNTIL TERMINATED BY ORDER OF THE COURT.

ONLY THE COURT CAN CHANGE THIS ORDER.

The Court Finds: (Only the provision(s) initialed by the judge apply.)

LDK Plaintiff filed a written verified petition on July 16, 2021 requesting a Temporary Order of Protection from Stalking, Sexual Assault, and Human Trafficking.

LDK This Court has jurisdiction over Plaintiff, Defendant and subject matter.

LDK Plaintiff has established a *prima facie* case of stalking, sexual assault, or human trafficking sufficient for the court to issue a temporary order of protection from stalking, sexual assault, or human trafficking.

LDK A hearing has been set for 7-22, 2021, at 9:00 a.m. p.m. at Sedgwick County District Court, 525 N Main, Wichita KS 67203, 1st Floor Jury Room (Court) and summons has been issued.



Order

The Court Orders:

- Plaintiff's address and telephone number shall remain confidential for the protection of the Protected Person.
- Defendant shall not follow, harass, abuse, molest, assault, threaten, stalk, or interfere with the privacy rights of the Protected Person, and the Protected Person's family or household. [NCIC 01 & 02]
- Defendant shall not enter or come on or around the premises, the residence, the property, school, or place of employment of the Protected Person or other family or household member. [NCIC 04]
- Defendant shall not communicate in any manner with the Protected Person, the Protected Person's employer, employees, fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the Protected Person. [NCIC 05]
- Defendant shall not direct or request another to contact the Protected Person, either directly or indirectly. [NCIC 04 & 05]
- Defendant shall not commit or attempt to commit a nonconsensual sexual act against the Protected Person.
- Defendant shall not commit or attempt to commit a sexual act against the Protected Person by force, threat of force, duress, or when the Protected Person is incapable of giving consent.
- Defendant shall not follow, harass, telephone, contact, recruit, harbor, transport, or commit or attempt to commit human trafficking upon the Protected Person.

CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA):

This Order meets all the requirements of the Violence Against Women Act, 18 U.S.C. § 2265. This Court has jurisdiction of the parties and the subject matter; Defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of Kansas. This Order is enforceable in all 50 states, the District of Columbia, all Indian tribal courts and all United States territories and shall be enforced as if it were an order of that jurisdiction pursuant to 18 U.S.C. § 2265.

Additional terms of this order are set forth below, if any.

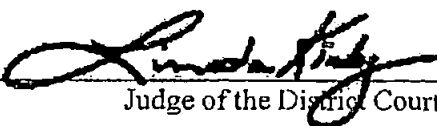
Other Provisions:

1. Other orders necessary to promote the safety of the Protected Person:

- _____
- _____
- _____
- _____
- _____

SO ORDERED:

July 6, 2021
Date


Judge of the District Court

WARNINGS TO DEFENDANT

- This order is effective when signed by the judge. Law enforcement officials shall immediately enforce this order.
- Violation of this order may constitute an offense under chapter 21 of the Kansas Statutes Annotated, including, but not limited to: violation of a protective order as provided in K.S.A. 21-5924, and amendments thereto; a sex offense under article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; stalking as provided in K.S.A. 21-5427, and amendments thereto; assault as provided in K.S.A. 21-5412(a), and amendments thereto; battery as provided in K.S.A. 21-5413(a), and amendments thereto; and criminal trespass as provided in K.S.A. 21-5808(a)(1)(C), and amendments thereto, and may result in prosecution and conviction under Kansas criminal statutes.
- Violation of this order may also be punishable as contempt of this court.
- If Defendant has a concealed carry license, that license is subject to revocation pursuant to K.S.A. 75-7c07, and amendments thereto. After a defendant's concealed carry license has been revoked, continuing to carry a concealed weapon may constitute a violation of K.S.A. 21-6302, and amendments thereto.
- Violation of this order may subject Defendant to prosecution for such federal crimes, including but not limited to: Interstate travel to commit domestic violence; Interstate stalking; and Interstate violation of a protection order.

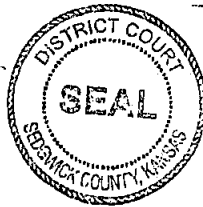
Notice of Extension of this Temporary Order
(Pursuant to K.S.A. 60-31a05)

If a hearing on the petition for protection is continued, the court may extend this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking for additional periods of time as it deems necessary.

Notice of Default

(Pursuant to K.S.A. 60-255)

If you fail to appear at the hearing, a default order may be entered against you and this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking may turn into a Final Protection from Stalking, Sexual Assault, or Human Trafficking without further notice to you.



STATE OF KANSAS
SEDGWICK COUNTY
I hereby certify that the foregoing is a true
and correct copy of the original instrument
on file in this court. Dated: 7/18/21
Clerk of the District Court
By: [Signature]
Deputy Clerk

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Jennifer McCoy
Plaintiff

vs.

Case No. 21DM 3595

Carl Swinney
Defendant

Petition Pursuant to K.S.A. Chapter 60

**PETITION FOR PROTECTION FROM STALKING, SEXUAL ASSAULT,
OR HUMAN TRAFFICKING ORDER**
(K.S.A. 60-31a01 *et seq.*)

1. Plaintiff seeks an order for protection from stalking, sexual assault, or human trafficking for:

myself

OR

b a minor child (under age 18)

Plaintiff is:

- the parent of the child
- an adult who resides with the child
- the child's court appointed legal custodian
- the child's court-appointed legal guardian
- a county or district attorney
- the Kansas attorney general

The minor child's name and year of birth are:

Minor Child's Name: _____

Year of Birth: _____

2. Defendant can be served at: (please provide all available addresses)

HOME: street 5107 E. Kellogge city Wichita
state KS zip code 6703 phone number 316-260-6934
times when defendant is usually there M-5 7-7 PM



21DM 3595

WORK: street Same city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

OTHER: street _____ city _____
state _____ zip code _____ phone number _____
times when defendant is usually there _____

- 4. If the defendant is a minor, a Minor Defendant Addendum is attached.
- 5. List any other related court cases involving Plaintiff, minor child (if applicable), or Defendant.
(give type of case, county filed in, case number and date filed, if known)

Plaintiff:

Minor Child:

Defendant:

6. Select and complete either section A, B, or C. Attach more pages as needed.

A. Describe the incidents of stalking. Include specific facts, dates and locations:

Incident #1: Coming out to PUBLIC Sidewalk
and threatening me with Harm
after accusations and physically
placing himself between myself
and client in vehicle.
Feb 5, 2020

21DM 3595

W-24-2021

Incident #2: Coming Back out on public
sio walk and threatening myself
with paper work that he'd said
he had terminated before returning
Additional Incident(s), if any:

He was convicted of Assault
and there was a three
and a half year no contact order
OR ended in May 2021

B. Describe the incident of sexual assault. Include specific facts, dates and locations:

W-24-2021

Carl came out to sio walk
to collect paper work that blew
out of a book after he said
he was going to take it inside
the clinic where he works to continue
at before returning the papers.

OR

C. Describe the incident of human trafficking. Include specific facts, dates, and locations:

Carl has put his name on
his gun. He's threatening with
a ction to shoot myself
and others. I have
video proof and pics

Feb 5, 2021

21 DM 3595

7. Plaintiff/child needs a protection from stalking, sexual assault, or human trafficking order because: _____

8. Plaintiff requests that the court issue an ex parte Temporary Order of Protection and Final Order of Protection restraining defendant from:

- abusing, molesting or interfering with the privacy or rights of the protected person.
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- other: Biological Terrorism.

9. (Check box if you are asking for the transfer of wireless telephone numbers. Leave box blank if you are not asking for the transfer of wireless telephone numbers.)

Plaintiff asks the court to order the transfer of rights to and billing responsibility for the wireless telephone number of Plaintiff and/or minor child(ren) in the care of Plaintiff.

10. The court should give copies of orders to the appropriate law enforcement agencies; set a date, time and hearing on this matter; and issue summons to Defendant, notifying Defendant of this action and the relief requested.

11. After a hearing, the court should issue a Final Order of Protection from Stalking, Sexual Assault, or Human Trafficking prohibiting Defendant from committing any acts of stalking, sexual assault, or human trafficking against the protected person; order Defendant to pay court costs and attorney fees if appropriate; and order any other relief necessary for the safety of the protected person including:

21DM 3595

VERIFICATION

I verify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 7-10, 2021.

Jennifer McCoy
Plaintiff's Signature

Plaintiff's Name: Jennifer McCoy

(DO NOT include the residential address of Plaintiff in this petition. Plaintiff must complete the Protection from Stalking, Sexual Assault, or Human Trafficking Confidential Information form and include it with this petition.)

Attorney representing Plaintiff (if any)

Attorney's Name: _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone: _____

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

Janifer McCoy
Plaintiff

vs.

Carl Swinney
Defendant

Case No. 21DM 3595

Defendant address:

PERSONAL SERVICE ONLY

5107 E Kellogg
Wichita KS

SUMMONS AND NOTICE OF HEARING FOR PROTECTION ORDER

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Place: Sedgwick County Courthouse, 525 N Main, Wichita, KS 67203, 1st Floor Jury Room.

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Date: 7-7-21



Debbie Perkins
Clerk of the District Court/Deputy

RETURN OF SERVICE OF SUMMONS

I certify under penalty of perjury that I have served this summons and notice of hearing:
By personally delivering on the _____ day of _____, 20____, at _____: _____ a.m. p.m.,
a copy of the summons and a copy of the petition and temporary orders (if any) to the above named defendant.

All done in _____ County, Kansas.

I certify under penalty of perjury that I was not able to personally serve this summons and notice of hearing.

Date: _____

Sheriff/Deputy



2021 Jul 07 AM 10:08

IN THE DISTRICT COURT OF SEDGWICK COUNTY THE KANSAS SEDGWICK COUNTY DISTRICT COURT
Protection from Stalking, Sexual Assault, or Human Trafficking (K.S.A. 60-31a1 et seq.)

CASE NUMBER 2021 DM 003595 PS

Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking

Judge or Division: Division 17	Case Number: Court ORI Number:
Plaintiff: <u>Jennifer McCoy</u> vs.	Protected Person Identifiers: Name: <u>Jennifer McCoy</u> Year of Birth <u>1972</u> Sex: <u>F</u>

21DM 3595

Defendant: <u>Carl Swanson</u> Address <u>5107 E. Kelllogg</u> <u>Wichita KS 67203</u>	Defendant Identifiers: <table border="1"> <tr> <td>SEX Male</td> <td>RACE <u>W</u></td> <td>YOB</td> <td>HT</td> <td>WT <u>250</u></td> </tr> <tr> <td>HAIR</td> <td>EYES</td> <td colspan="3">LAST 4 DIGITS OF SSN (IF KNOWN)</td> </tr> <tr> <td>DRIVERS LICENSE #</td> <td>DL STATE <u>KS</u></td> <td colspan="3">DL EXP. DATE</td> </tr> </table>	SEX Male	RACE <u>W</u>	YOB	HT	WT <u>250</u>	HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)			DRIVERS LICENSE #	DL STATE <u>KS</u>	DL EXP. DATE		
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DRIVERS LICENSE #	DL STATE <u>KS</u>	DL EXP. DATE														

Protected Person: Jennifer McCoy (name)

This order and its terms are directed at and apply to Defendant only.

THIS TEMPORARY ORDER SHALL REMAIN IN EFFECT UNTIL SERVICE OF THE FINAL ORDER OR UNTIL TERMINATED BY ORDER OF THE COURT.

ONLY THE COURT CAN CHANGE THIS ORDER.

The Court Finds: (Only the provision(s) initialed by the judge apply.)

LDK Plaintiff filed a written verified petition on July 6, 2021 requesting a Temporary Order of Protection from Stalking, Sexual Assault, and Human Trafficking.

LDK This Court has jurisdiction over Plaintiff, Defendant and subject matter.

LDK Plaintiff has established a *prima facie* case of stalking, sexual assault, or human trafficking sufficient for the court to issue a temporary order of protection from stalking, sexual assault, or human trafficking.

LDK A hearing has been set for 7-22, 2021, at 9:00 a.m. p.m. at

Sedgwick County District Court, 525 N Main, Wichita KS 67203, 1st Floor Jury Room (Court) and summons has been issued.



Order

The Court Orders:

- Plaintiff's address and telephone number shall remain confidential for the protection of the Protected Person.
- Defendant shall not follow, harass, abuse, molest, assault, threaten, stalk, or interfere with the privacy rights of the Protected Person, and the Protected Person's family or household. [NCIC 01 & 02]
- Defendant shall not enter or come on or around the premises, the residence, the property, school, or place of employment of the Protected Person or other family or household member. [NCIC 04]
- Defendant shall not communicate in any manner with the Protected Person, the Protected Person's employer, employees, fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the Protected Person. [NCIC 05]
- Defendant shall not direct or request another to contact the Protected Person, either directly or indirectly. [NCIC 04 & 05]
- Defendant shall not commit or attempt to commit a nonconsensual sexual act against the Protected Person.
- Defendant shall not commit or attempt to commit a sexual act against the Protected Person by force, threat of force, duress, or when the Protected Person is incapable of giving consent.
- Defendant shall not follow, harass, telephone, contact, recruit, harbor, transport, or commit or attempt to commit human trafficking upon the Protected Person.

CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT (VAWA):

This Order meets all the requirements of the Violence Against Women Act, 18 U.S.C. § 2265. This Court has jurisdiction of the parties and the subject matter; Defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of Kansas. This Order is enforceable in all 50 states, the District of Columbia, all Indian tribal courts and all United States territories and shall be enforced as if it were an order of that jurisdiction pursuant to 18 U.S.C. § 2265.

Additional terms of this order are set forth below, if any.

Other Provisions:


1. Other orders necessary to promote the safety of the Protected Person:

- _____
- _____
- _____
- _____
- _____

SO ORDERED:

July 6, 2021

Date



 Judge of the District Court

WARNINGS TO DEFENDANT

- This order is effective when signed by the judge. Law enforcement officials shall immediately enforce this order.
- Violation of this order may constitute an offense under chapter 21 of the Kansas Statutes Annotated, including, but not limited to: violation of a protective order as provided in K.S.A. 21-5924, and amendments thereto; a sex offense under article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto; stalking as provided in K.S.A. 21-5427, and amendments thereto; assault as provided in K.S.A. 21-5412(a), and amendments thereto; battery as provided in K.S.A. 21-5413(a), and amendments thereto; and criminal trespass as provided in K.S.A. 21-5808(a)(1)(C), and amendments thereto, and may result in prosecution and conviction under Kansas criminal statutes.
- Violation of this order may also be punishable as contempt of this court.
- If Defendant has a concealed carry license, that license is subject to revocation pursuant to K.S.A. 75-7c07, and amendments thereto. After a defendant's concealed carry license has been revoked, continuing to carry a concealed weapon may constitute a violation of K.S.A. 21-6302, and amendments thereto.
- Violation of this order may subject Defendant to prosecution for such federal crimes, including but not limited to: Interstate travel to commit domestic violence; Interstate stalking; and Interstate violation of a protection order.

Notice of Extension of this Temporary Order

(Pursuant to K.S.A. 60-31a05)

If a hearing on the petition for protection is continued, the court may extend this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking for additional periods of time as it deems necessary.

Notice of Default

(Pursuant to K.S.A. 60-255)

If you fail to appear at the hearing, a default order may be entered against you and this Temporary Order of Protection from Stalking, Sexual Assault, or Human Trafficking may turn into a Final Protection from Stalking, Sexual Assault, or Human Trafficking without further notice to you.



STATE OF KANSAS
SEDGWICK COUNTY

I hereby certify that the foregoing is a true and correct copy of the original instrument on file in this court. Dated: 7/2/21
Clerk of the District Court

By: *[Signature]*
Deputy Clerk