

**SUMMONS**  
**ILLINOIS DOMESTIC VIOLENCE ACT**  
**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT**

ROCK ISLAND County, Illinois **020P 654**

TINA MARIE LOHER  
Petitioner

v.

TERRANCE JOHN LOHER  
Respondent

Address: 620 10th Street  
MOINE

No. \_\_\_\_\_  
 Independent petition  
 Criminal proceedings  
 Dissolution

RECEIVED

2002 OCT -7 P 12:41

CLERK OF CIRCUIT COURT  
ROCK ISLAND, ILLINOIS

**To each respondent:**

You are summoned and required to file an answer in this case, or otherwise file your appearance in the:

Office of the Circuit Clerk  
COURTHOUSE Building  
210-15<sup>TH</sup> STREET  
ROCK ISLAND, Illinois

FILED in the CIRCUIT COURT  
of ROCK ISLAND COUNTY  
GENERAL DIVISION

OCT 7 1 2002

Clerk of the Circuit Court  
*Linda L. Schen*

within 7 days after service of this summons, not counting the day of service.

**IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST  
YOU FOR THE RELIEF ASKED IN THE PETITION.**

**To the officer:**

This summons must be returned by the office or person to whom it was given for service, with endorsement of Service and fees, if any, immediately after service. If service cannot be made, summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.

WITNESS October 7, 2002

Linda L. Schen  
Clerk of the Circuit Court

(Seal of Court)

By: JGN  
Deputy

Linda M. Schen  
(Signature of Attorney or Signature of Petitioner, if not represented)

Petitioner's Name: Tina Marie Loher  
Address: 620 10th Street  
City: MOINE  
Phone: 747-6866

SHERIFF'S FEES

SERVICE AND/OR RETURN.....\$
MILEAGE.....\$
TOTAL.....\$

I Certify that I served this Order as directed as follows:
(Check appropriate box, and complete information below)

- (a) - (Individual-personal):
By leaving a certified copy of this order with each below-named individual personally.
(b) - (Individual -abode)
By leaving a certified copy of this order at the usual place of abode of each below-named Individual with a person of his family or a person residing there, of the age of 13 years or upward, informing that person of the contents and also by sending a copy of the Order in a Sealed envelope with postage fully prepaid, addressed to each such individual at his usual Place of abode.

Name of Person
Summons given to
Sex Race Approx. Age
Place of Service
Date of Service Time
Date of Mailing
By Deputy

Name of Person
Summons given to
Sex Race Approx. Age
Place of Service
Date of Service Time
Date of Mailing
By Deputy

- (c) - (Not found):

The within named not found in this

County this day of , 20 ,

REASON:

By , Deputy

Sheriff of County

ORDER RETURN

**In The Iowa District Court for Scott County**

Case Name \_\_\_\_\_

Case No. **02OP654**

Notice received this date **10/07/2002**

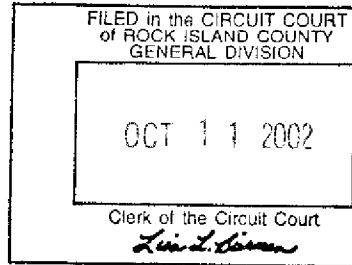
STATE of IOWA )

Scott County )

**Return of Service**

**Type of Service Code**

- Personal 1
- Dwelling/Substitute 2
- Hotel, Boarding/Rooming House 3
- Corporation/Association 4
- Official (State, County, City) 5
- Spouse away from Residence 6
- Other \_\_\_\_\_ 7
- Order Filed \_\_\_\_\_
- Writ \_\_\_\_\_
- Other \_\_\_\_\_
- Subpoena \_\_\_\_\_



I certify that I served a copy of:

- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause

Served Person(s):

Type Code

TERRANCE J LOHER at 416 W 4TH ST DAVENPORT on 10/07/2002 16:00 [ / ]  
(name) (address) (date time)

\_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_ [ ]

\_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_ [ ]

\_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_ [ ]

\_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_ [ ]

Served Substitute:

\_\_\_\_\_ by serving \_\_\_\_\_ [ ]  
(name) (name)

at \_\_\_\_\_ on \_\_\_\_\_, (a person residing therein who was then at least 18 years old  
(address) (date time)

OR spouse away from residence). (strike non-applicable part.)

Served Business:

\_\_\_\_\_ by serving \_\_\_\_\_ [ ]  
(Company/Government Unit Name) (name)

\_\_\_\_\_ , on \_\_\_\_\_ , at \_\_\_\_\_  
(title) (date time) (address)

Notes:

**Fees**

Service . . . \$ **15.00**

Copies . . . \$ **0.50**

Mileage . . . \$ **0.36**

Total . . . . \$ **15.86**

Scott County Sheriff Dennis Conard

By **5452 - BARB VAN FOSSEN**  
(Deputy Sheriff)

Note: Copy of Original Notice, if served, must be attached to this form.

# EMERGENCY ORDER OF PROTECTION

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT

Rock Island County, Illinois

020P 654

TINA MARIE LOTTER

Petitioner

FILED in the CIRCUIT COURT  
of ROCK ISLAND COUNTY  
GENERAL DIVISION



Independent petition

v.

TERRANCE JOHN LOTTER

Respondent

OCT 07 2002



Criminal proceedings



Dissolution

*Lisa L. Bierman*  
Clerk of the Circuit Court

Pursuant to the provisions of the Illinois Domestic Violence Act of 1986 (Ill. Rev. Stat., ch. 40, sec. 2301, et seq.), this court finds that:

- A. It has jurisdiction over the respondent as provided in Section 208;
- B. Venue lies in Rock Island County, as provided in Section 209;
- C. The petitioner has been abused by a family or household member or is a high-risk adult who has been abused, neglected or exploited;
- D. The requirements of Section 214 are satisfied.

Now, therefore, the court finds:

- The harm, which the remedies are intended to prevent, as indicated below in this order, would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief.
- The immediate danger and/or further abuse of petitioner by respondent, if petitioner chooses or had chosen to remain in the residence or household while respondent was given any prior notice than was actually given of petitioner's efforts to obtain judicial relief, outweighs the hardship to respondent of an emergency order of protection granting petitioner exclusive possession of the residence or household.
- Improper disposition of the personal property would likely occur if the respondent were given any prior, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief or petitioner has an immediate and pressing need for the possession of that property (Ill. Rev. Stat. 1989, ch. 40, par. 2312-17(a)(3)(ii)).

It is hereby ordered that:

1.  Protection from Abuse. Respondent is restrained and prohibited from harassing, interfering with personal liberty, intimidating, physically abusing, willfully depriving, neglecting, exploiting, or stalking (name) Tina Marie Lotter, or any other family or household member, (name) Terrence John Lotter.

**SHERIFF'S FEES**

SERVICE AND/OR RETURN.....\$ \_\_\_\_\_  
 MILEAGE.....\$ \_\_\_\_\_  
 TOTAL.....\$ \_\_\_\_\_

I Certify that I served this Order as directed as follows:  
 (Check appropriate box, and complete information below)

(a) - (Individual-personal):  
 By leaving a certified copy of this order with each below-named individual personally.

(b) - (Individual -abode)  
 By leaving a certified copy of this order at the usual place of abode of each below-named Individual with a person of his family or a person residing there, of the age of 13 years or upward, informing that person of the contents and also by sending a copy of the Order in a Sealed envelope with postage fully prepaid, addressed to each such individual at his usual Place of abode.

Name of Person \_\_\_\_\_  
 Summons given to \_\_\_\_\_  
 Sex \_\_\_\_\_ Race \_\_\_\_\_ Approx. Age \_\_\_\_\_  
 Place of Service \_\_\_\_\_

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 Summons given to \_\_\_\_\_  
 Sex \_\_\_\_\_ Race \_\_\_\_\_ Approx. Age \_\_\_\_\_  
 Place of Service \_\_\_\_\_

Date of Service \_\_\_\_\_ Time \_\_\_\_\_  
 Date of Mailing \_\_\_\_\_  
 By \_\_\_\_\_ Deputy \_\_\_\_\_

Date of Service \_\_\_\_\_ Time \_\_\_\_\_  
 Date of Mailing \_\_\_\_\_  
 By \_\_\_\_\_ Deputy \_\_\_\_\_

(c) - (Not found):

The within named \_\_\_\_\_ not found in this

County this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

REASON: \_\_\_\_\_

By \_\_\_\_\_, Deputy \_\_\_\_\_

Sheriff of \_\_\_\_\_ County

**ORDER RETURN**

# EMERGENCY ORDER OF PROTECTION

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT

Rock Island County, Illinois

TINA MARIE LOTTER

Petitioner

No. 020P 654

Independent petition

v.

TERRANCE JOHN LOTTER

Respondent

FILED in the CIRCUIT COURT  
of ROCK ISLAND COUNTY  
GENERAL DIVISION

Criminal proceedings

Dissolution

OCT 07 2002

*Suzanne L. Berman*

Pursuant to the provisions of the Illinois Domestic Violence Act of 1986 (Ill. Rev. Stat., ch. 40, sec. 2301, et seq.), this court finds that:

- A. It has jurisdiction over the respondent as provided in Section 208;
- B. Venue lies in Rock Island County, as provided in Section 209;
- C. The petitioner has been abused by a family or household member or is a high risk adult who has been abused, neglected or exploited;
- D. The requirements of Section 214 are satisfied.

Now, therefore, the court finds:

- The harm, which the remedies are intended to prevent, as indicated below in this order, would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief.
- The immediate danger and/or further abuse of petitioner by respondent, if petitioner chooses or had chosen to remain in the residence or household while respondent was given any prior notice than was actually given of petitioner's efforts to obtain judicial relief, outweighs the hardship to respondent of an emergency order of protection granting petitioner exclusive possession of the residence or household.
- Improper disposition of the personal property would likely occur if the respondent were given any prior, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief or petitioner has an immediate and pressing need for the possession of that property (Ill. Rev. Stat. 1989, ch. 40, par. 2312-17(a)(3)(iii)).

It is hereby ordered that:

1.  **Protection from Abuse.** Respondent is restrained and prohibited from harassing, interfering with personal liberty, intimidating, physically abusing, willfully depriving, neglecting, exploiting, or stalking (name) Tina Marie Lotter, or any other family or household member, (name) Shilong Lotter.

**SHERIFF'S FEES**

SERVICE AND/OR RETURN.....\$ \_\_\_\_\_  
MILEAGE.....\$ \_\_\_\_\_  
TOTAL.....\$ \_\_\_\_\_

I Certify that I served this Order as directed as follows:  
(Check appropriate box, and complete information below)

(a) - (Individual-personal):

By leaving a certified copy of this order with each below-named individual personally.

(b) - (Individual -abode)

By leaving a certified copy of this order at the usual place of abode of each below-named individual with a person of his family or a person residing there, of the age of 13 years or upward, informing that person of the contents and also by sending a copy of the Order in a Sealed envelope with postage fully prepaid, addressed to each such individual at his usual Place of abode.

Name of Person \_\_\_\_\_  
Summons given to \_\_\_\_\_  
Sex \_\_\_\_\_ Race \_\_\_\_\_ Approx. Age \_\_\_\_\_  
Place of Service \_\_\_\_\_

Name of Person \_\_\_\_\_  
Summons given to \_\_\_\_\_  
Sex \_\_\_\_\_ Race \_\_\_\_\_ Approx. Age \_\_\_\_\_  
Place of Service \_\_\_\_\_

Date of Service \_\_\_\_\_ Time \_\_\_\_\_  
Date of Mailing \_\_\_\_\_  
By \_\_\_\_\_ Deputy \_\_\_\_\_

Date of Service \_\_\_\_\_ Time \_\_\_\_\_  
Date of Mailing \_\_\_\_\_  
By \_\_\_\_\_ Deputy \_\_\_\_\_

(c) - (Not found):

The within named \_\_\_\_\_ not found in this

County this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

REASON: \_\_\_\_\_

By \_\_\_\_\_, Deputy \_\_\_\_\_

Sheriff of \_\_\_\_\_ County

**ORDER RETURN**

Sheriff's return dom. wps

2.  **Exclusive Possession of Residence.** Exclusive possession of the residence is granted to Tina Marie Lohrer, and respondent shall not enter or remain in the household or premises located at: Lead 10th Street, City of Moline County of Rock Island, State of Illinois. (This order does not affect title to property.)

3.  **Stay Away Order and Additional Prohibitions.** Respondent is ordered to stay away from petitioner or any other person protected by the order of protection, or

Petitioner's place of employment/school: \_\_\_\_\_

Dependent's school: \_\_\_\_\_

Other specific place(s): Lead 10th Street Moline  
1117 Perry St. Apt #2 Davenport

The court may allow respondent access to the residence to remove personal clothing and medications only on one occasion as directed by the court and in the presence of an agreed upon third party or law enforcement officer.

5.  **Physical Care and Possession of the Minor Child(ren).** Petitioner is granted physical care and possession of minor child(ren) Shiloh G. Lohrer

Respondent is ordered  to return the minor child(ren), namely: \_\_\_\_\_

not to return the minor child(ren), namely: \_\_\_\_\_

the physical care of \_\_\_\_\_, a parent or person in *loco parentis*.

8.  **Removal or Concealment of Minor Child(ren).** Respondent is prohibited from removing the minor child(ren) from the jurisdiction of the court or the State or concealing the child(ren) from the parent or person in loco parentis within the State.

9.  **Order to Appear with Minor Child(ren).** Respondent is ordered to appear in Courtroom \_\_\_\_\_, located at \_\_\_\_\_ at \_\_\_\_\_ m. on \_\_\_\_\_ with minor child(ren), namely: \_\_\_\_\_

10.  **Possession of Personal Property.** Petitioner is granted exclusive possession of the following personal property: House keys to load 1014 Street Moline  
Keys to 1994 Honda If the respondent has possession or control of the property, the respondent shall promptly make it available to the petitioner.

11.  **Protection of Property.** Respondent is prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of any property Any & All Items  
within the petitioners possession.  
1997 HONDA ACCORD except as explicitly authorized by the court.

Respondent is prohibited from improperly using the financial or other resources of an aged member of the family or household for the profit or advantage of the respondent or any other person.

14.  **Prohibition of Entry.** Respondent is prohibited from entering or remaining in petitioner's residence or household while respondent is under influence of alcohol or drugs and constitutes a threat to safety and well being of petitioner or petitioner's child(ren).

15.  **Prohibition of Access to Records.** Respondent is denied access to and prohibited from inspecting, obtaining or attempting to inspect or obtain, school or any other records of the minor child(ren) who is in the care of the petitioner, if an order of protection prohibits respondent from having contact with the minor child(ren), or if petitioner's address is omitted, or if necessary to prevent abuse or wrongful removal or concealment of a minor child(ren).

17.  **Order for Injunctive Relief.** Respondent is further ordered and enjoined as follows:  
Respondent is not to come within 100 yards of  
the petitioner - Tina Marie Weber & children & carer.

The relief requested in paragraph \_\_\_ of the petition is DENIED/RESERVED because

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Date, time, and place for hearing on extension of the order of protection.

Date: 10/21/02 Time: ~~10:28~~ 10:00 am Courtroom Number: Almy

This order was issued: Date: 10/07/02 Time: 10:21 am

This order expires: Date: 10/21/02 Time: 12:30 pm

Respondent may petition the court, in accordance with Section 224 of the Act to re-open the order if he/she did not receive actual prior notice of the hearing, in accordance with Section 211 of the Act, and alleges that he/she had a meritorious defense to the order or any of its remedies or that the order or any of its remedies was not authorized by the Illinois Domestic Violence Act.

Any knowing violation of an order of protection forbidding abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, or willful deprivation, or entering or remaining present at specified places when the protected person is present, or granting exclusive possession of the residence or household, or granting a stay away order is a Class A Misdemeanor. Grant of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding legal custody or physical care of a child(ren) or prohibiting removal or concealment of a child(ren) may be a Class 4 Felony. Any willful violation of a court order is contempt of court. Any violation may result in fine or imprisonment.

Petitioner's Name TINA MARIE LOHER

Address 620 - 10TH ST

City MOLENE, IL 61265

Telephone 309-797-6866

ENTER: Date: 10/07/02  
William D. Smith  
Judge

## DEFINITIONS OF TERMS USED IN PARAGRAPH #1 OF THIS ORDER.

These definitions are incorporated in and made a part of this order to which they are attached.

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child(ren) by a parent or person *in loco parentis*.
2. **Domestic Violence:** Domestic Violence means abuse as defined in paragraph one.
3. **Exploitation:** "Exploitation" means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
4. **Family or Household Members:** Includes spouses, former spouses, parents, child(ren), stepchild(ren) and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child(ren) in common, persons who share or allegedly share a blood relationship through a child(ren), persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. (For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship.)
5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
  - a) creating a disturbance at petitioner's place of employment or school;
  - b) repeatedly telephoning petitioner's place of employment, home or residence;
  - c) repeatedly following petitioner about in a public place or places;
  - d) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
  - e) repeatedly threatening to improperly remove a child(ren) of petitioner's from the jurisdiction, improperly concealing that child(ren) from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
  - f) improperly concealing a minor child(ren) from petitioner, repeatedly threatening to improperly remove a minor child(ren) of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child(ren) from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
  - g) threatening physical force, confinement or restraint on one or more occasions.

- 6. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.
- 7. **Intimidation of a Dependent:** "Intimidation" means subjecting a person who is dependent because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family or household member.
- 8. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
  - a) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
  - b) the repeated, careless imposition of unreasonable confinement;
  - c) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
  - d) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
  - e) the failure to protect a high-risk adult with disabilities from health and safety hazards.
- 9. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
  - a) knowing or reckless use of physical force, confinement or restraint; or
  - b) knowing, repeated and unnecessary sleep deprivation; or
  - c) knowing or reckless conduct which creates an immediate risk of physical harm.
- 10. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

**NOTE: A copy of this page should be attached to all copies of orders entered.**

**I HEREBY CERTIFY THE ABOVE TO BE CORRECT**

*Lisa A. Bierman*  
 Clerk of the Circuit Court of Rock Island  
 County, Illinois

(Seal of Clerk of Circuit Court)

Date: 10-7-2002

**THIS ORDER IS THE COMMAND OF THE CIRCUIT COURT AND VIOLATION THEREOF IS SUBJECT TO THE PENALTY OF LAW.**

# VERIFIED PETITION FOR ORDER OF PROTECTION

IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT

Rock Island County, Illinois

020P 654

TINA MARIE LOHER

Petitioner

FILED in the CIRCUIT COURT  
of ROCK ISLAND COUNTY  
GENERAL DIVISION

No. \_\_\_\_\_

Independent petition

v.

TERRANCE JOHN LOHER

Respondent

10/17/2002

Criminal proceedings

Dissolution

*Lisa L. Bierman*  
Clerk of the Circuit Court

Petitioner, Tina Marie Loher, on his/her own behalf and/or on behalf of  
Shiloh G. Loher, a minor child(ren), and/or on behalf of  
\_\_\_\_\_, dependent adult, pursuant to the Illinois Domestic Violence Act

moves the court to issue an order of protection and in support thereof states and requests:

### (CHECK THE BOXES THAT APPLY)

1.  Check here and leave blank the address of the abused if disclosure of address would risk abuse Section 203 (Ill. Rev. Stat. 1991, ch. 40, par. 2312-3). Petitioner shall designate an alternative address at which respondent may serve notice of any motions: \_\_\_\_\_

2.  The petitioner, or the abused, if other than the petitioner, resides at 1020 10th Street  
City of Moline, County of Rock Island, State of Illinois.

3.  Terrance John Loher referred to as "respondent," resides at 690 10th Street  
City of Moline, County of Rock Island, State of Illinois.

4.  The respondent is a family or household member, as defined in section 103 (6) (Ill. Rev. Stat. 1991, ch. 40, par. 2311-3) in that he/she stands in the following relation to the abused. (Only one of the following conditions needs to be present to satisfy Section 103(6)):

Spouse       Former Spouse       Parent       Child(ren) or Stepchild(ren)

Person related by blood or marriage

Person who shares or formerly shared a common dwelling at \_\_\_\_\_  
City of \_\_\_\_\_ County of \_\_\_\_\_, State of Illinois.

Person who petitioner alleges to be the father/mother of a common child(ren) namely:  
\_\_\_\_\_

Person who has or has had a dating or engagement relationship

Person with disabilities and their personal assistants

5.  On the personal knowledge of petitioner, respondent has acted in the following manner toward petitioner and/or the abused person(s), in that he/she has harassed, interfered with the personal liberty, intimidated, or physically abused the petitioner and/or abused person(s) in the past in the following manner:

Date and detail of facts as to each incident: My husband, Terry, has been dx with generalized anxiety disorder for which he's supposed to be taking medication for. This illness which makes him irritable, not able to handle any stress, impairs his thinking. He hasn't been taking his medication or following up with the psychiatrist like he's supposed to. Around Sept. 11 he made a verbal physical threat toward me saying he feels like he could physically hurt me. A few days later he asked me if I was being physically abused how many times would I need to be beaten up before I left the relationship. This behavior is odd, for 3 wks he would come home from midnight to 3am if he came home at all. Sometimes he's gone for days without calling me to let me know where he is or to check on our 8 month old daughter. He never shows her any affection then suddenly Oct 1 he calls at 9pm tells me he's coming home soon, shows concern for our baby, says he's coming home to spend time with her. When I told him she was sleeping he said "well I just want to be next to her." At times he is full of inappropriate rage/anger and other times he's as cool as a cucumber. I don't know what he is capable of and I'm afraid for

Additional information in support of request: my safety and my daughter's. He never bonded with her, up until she was 3-4 months old he was saying he wasn't convinced she was even his child. He continues to lie saying he's taking his medicine like he should when I know for a fact that isn't true based on the information I received from the Iowa VA pharmacy. Also he showed signs of aggression, hitting the dresser with his fist when I was trying to talk to him. He also said he doesn't spend time with our daughter because she stresses him out. Glad a week ago she was walking in the kitchen he was upstairs in bedroom and commented that that would drive him crazy. Terry is also emotionally abusive toward me.

6.  There is no other court action pending between the parties (divorce, criminal, juvenile, civil, child support, parentage). My husband says he is going to file for a divorce but I  
OR  
don't think he has yet

There is another court action pending between the parties in the Circuit Court of \_\_\_\_\_ County, being case number(s) \_\_\_\_\_

7.  There are 0 prior orders.

He continues to be full of anger and the night of October 6, 2002 he threatened me again. He said "I want to hurt you, I want to knock you out." This occurred when I was trying to talk to him about the marriage. He denied that our daughter Shishi was even his until about a month ago, he never helps me take care of her, I actually had to beg him to spend time with her and last night he said he was going to fix it so I couldn't leave the state until he was done with school and afterwards he doesn't care where I go. All my family is in NC, I really need their support during this difficult time and to help me care for my daughter. Up until now he's showed no interest in caring for, being with or being a father to our daughter. I think he's making this threat not out of concern for her but to hurt me. I am afraid for her safety. He continues to lie about taking his medication. I spoke with a mutual friend Oct. 5 and she said that he told her sometimes he takes. He's supposed to be taking it daily. Also he has a son from a previous marriage and just this summer the son was visiting us, Terry (my husband) was stressed out because of exams and got inappropriately angry when he realized his son, 7 years old, left his shoes at the pool where they had been swimming earlier. At midnight, while the child is sleeping on the couch, Terry starts yelling at him and throwing pillows at him to wake him up. In the middle of the night he makes the child go to Walmart to get more shoes even though I offered to take him the next morning. Now this is how he treats his son, whom he loves very much and is bonded with, helped take care of when he was a baby, never denied that he was his child - when he's stressed out. Imagine my concern for my child's safety whom he has denied she's <sup>daughter</sup> is never spends time with her, admitted he hasn't bonded with her and also admitted that spending time with her stresses him out. He's unstable and I don't know what he's capable of.

**PLEASE MAKE SURE  
YOU PRESS HARD  
WITH INK PEN SO THE  
CARBON COPIES ARE  
LEGIBLE!!**

**PLEASE NOTE:**

**WALK-IN COURT  
MONDAY - FRIDAY  
9:30 A.M.**

**YOU MUST HAVE YOUR PAPERS  
COMPLETED AND FILED WITH THE  
CLERK BY 10:00 A.M. IN ORDER TO  
APPEAR IN COURT!**

**IF YOU ARE FILING THIS ORDER OF  
PROTECTION AGAINST AN INTIMATE  
PARTNER, AND NEED HELP COMPLETING  
THE FORMS, PLEASE CONTACT  
FAMILY RESOURCES AT 793-7729  
OR APPEAR AT THE CIRCUIT CLERK'S  
OFFICE BY 8:30 A.M.**

**REMEDIES SECTION**

(Section 214, Ill. Rev. Stat. 1991, ch. 40, par. 2312-14)

Pursuant to the Illinois Domestic Violence Act (the Act) the petitioner seeks the following remedies:

1.  **Protection from Abuse.** That respondent be restrained and prohibited from harassment, interference with personal liberty, intimidation, physical abuse, or willful deprivation, neglect, exploitation, or stalking, if such abuse has occurred, or otherwise appears likely to occur against (names) Tina Marie Lohner, Shiloh G. Lohner or any other person(s) protected by said Act (Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b)(1)).

2.  **Exclusive Possession of Residence.** That respondent be prohibited from entering or remaining in any residence or household of the petitioner, including one owned or leased by respondent: (address) 1020 10th Street, City of Moline, County of Rock Island, State of Illinois, if petitioner has a right to said occupancy. The balance of hardships favors possession by the petitioner and/or abused person(s). If the hardships to respondent substantially outweigh the hardships to petitioner and any dependent in petitioner's care, the court may order that respondent provide suitable housing for petitioner instead of excluding respondent from a mutual residence. (This will not affect title to property.)

3.  **Stay Away Order and Additional Prohibitions.** That respondent be ordered to stay away from petitioner or any other person protected by the order of protection, or

Petitioner's place of employment/school: \_\_\_\_\_

Dependent's school: \_\_\_\_\_

Other specific place(s): 1020 10th Street Moline  
1117 Perry St. Apt #2 Davenport, IA

The court may allow respondent access to the residence to remove personal clothing and medications only on one occasion as directed by the court and in the presence of an agreed upon third party or law enforcement officer.

4.  **Counseling.** (Note: This relief is not available in emergency orders of protection.) That respondent undergo such counseling as the court deems appropriate under the Act.

5.  **Physical Care and Possession of the Minor Child(ren).**  
 Grant petitioner physical care and/or possession of the minor child(ren), namely: Shiloh G. Lohner

Order respondent to return a minor child(ren) to, or not remove a minor child(ren) from, the physical care of a parent or person *in loco parentis*.

6.  **Temporary Legal Custody.** (Note: This relief is not available in emergency orders of protection.) Award temporary legal custody to petitioner Tina Marie Loner in accordance with this Section, Illinois Marriage and Dissolution of Marriage Act (IMDMA) (Ill. Rev. Stat. 1991, ch. 40, par. 401 et seq.), the Illinois Parentage Act of 1984 (Ill. Rev. Stat. 1991, ch. 40, par. 2501 et seq.) and this state's Uniform Child Custody Jurisdiction Act (Ill. Rev. Stat. 1991, ch. 40, par. 2101 et seq.).

If the court finds that respondent has abused a minor child, t(ren)here shall be a rebuttable presumption that awarding physical care and/or temporary legal custody to respondent would not be in the child's best interest.

7.  **Visitation.** (Note: This relief is not available in emergency orders of protection.) The court may determine visitation rights of respondent, if any, in any case in which the court awards physical care or temporary legal custody of a minor child(ren) to petitioner. The court shall restrict or deny respondent's visitation with a minor child(ren) if the court finds that respondent has or is likely to abuse or endanger minor child(ren) during visitation, use visitation as an opportunity to abuse or harass petitioner or petitioner's family or household members, improperly conceal or detain minor child(ren) or otherwise act in a manner that is not in the best interest of the minor child(ren). The court shall not be limited by the standards set forth in Section 607.1 of the Illinois Marriage and Dissolution of Marriage Act.

If the court grants visitation, the order shall specify dates and times or other specific conditions. No order for visitation shall refer merely to the term "reasonable visitation."

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A supervisor of visitation may be approved only after filing an affidavit accepting that responsibility and acknowledging accountability to the court.

8.  **Removal or Concealment of Minor Child(ren).** That respondent be prohibited from removing the minor child(ren) from the jurisdiction of the court of the state, or concealing such child(ren) from the parent or person *in loco parentis* within the State allowed by Section 214 (b)(6) (Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b)(8)).

9.  **Order to Appear with Minor Child(ren).** That respondent be ordered to appear in court with the minor child(ren), namely: \_\_\_\_\_ for the purpose of the relief allowed by Section 214(b)(9)(Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b)(9)).

10.  **Possession of Personal Property.** If respondent has possession or control of personal property, direct respondent to promptly make it available to petitioner, and grant petitioner possession of the following property: Keys to house ; Keys to car (Ill.Rev.Stat. 1991, ch. 40, par. 2312-14(b)(10)).

11.  **Protection of Property.** That respondent be forbidden from taking, transferring, encumbering, concealing, damaging or otherwise disposing of any of the petitioner's property or joint property of petitioner and respondent (Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b)(11)), including, but not limited to, any & all items within the petitioner's possession  
1994 HONDA ACCORD

That respondent be prohibited from improperly using the financial or other resources of an aged member of the family or household for the profit or advantage of respondent or any other person.

12.  **Order for Payment of Support.** (Note: This relief is not available in emergency orders of protection.) That respondent be ordered to pay temporary support for the petitioner or child(ren) in the petitioner's care or custody when respondent has a legal obligation to support that person. (Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b)(12)). Respondent's approximate gross earnings are \$ \_\_\_\_\_:

- per week                       per two weeks                       per month

A.  The petitioner requests support in the amount of \$ \_\_\_\_\_.

- per week                       per two weeks                       per month

B.  Any child(ren) in the petitioner's care or custody shall receive support in the total amount of \$ \_\_\_\_\_.

- per week                       per two weeks                       per month

13.  **Order for Payment of Losses.** (Ill. Rev. Stat. 1991, ch. 40, par. 2312-14(b) (13).) (Note: This relief is not available in emergency orders of protection.)

A.  **Monetary Compensation for Losses.** That respondent be ordered to pay petitioner actual monetary compensation for loss suffered as a direct result of this abuse, neglect, or exploitation. (Such losses shall include, but not be limited to, lost earnings or other support, repair or replacement of property damaged or taken, and moving or other travel expenses, including additional reasonable expenses for temporary shelter and meals.) \_\_\_\_\_

B.  **Losses Affecting Family Needs.** That respondent be ordered to pay \$ \_\_\_\_\_, related to maintenance, child support, or property distribution.

C.  **Recovery of Expenses.** In the case of an improper concealment or removal of a minor child(ren), the court may order respondent to pay the reasonable expenses incurred or to be incurred in the search for and recovery of the minor child(ren), including but not limited to, legal fees, court costs, private investigator fees, and travel costs.

D.  **Payment for Medical Expenses.** That respondent be ordered to pay petitioner's medical expenses for injuries suffered as a direct result of this abuse.

E.  **Attorney's Fees & Costs.** That respondent be ordered to pay petitioner's attorney's fees and costs of this proceeding.

- 14.  **Prohibition of Entry.** That respondent be prohibited from entering or remaining in petitioner's residence or household while respondent is under influence of alcohol or drugs and constitutes a threat to safety and well being of petitioner or petitioner's child(ren).
- 15.  **Prohibition of Access to Records.** This order shall deny respondent access to, and prohibit respondent from inspecting, obtaining or attempting to inspect or obtain, school or any other records of the minor child(ren) who is in the care of petitioner, if an order of protection prohibits respondent from having contact with the minor child(ren), or if petitioner's address is omitted, or if necessary to prevent abuse or wrongful removal or concealment of a minor child(ren).
- 16.  **Order for Payment of Shelter Services.** (Note: This relief is not available in emergency orders of protection.) That respondent be ordered to pay \$ \_\_\_\_\_ to the following services for temporary shelter and/or counseling for the costs of services to the petitioner, namely: \_\_\_\_\_  
 \_\_\_\_\_  
 on or before \_\_\_\_\_

17.  **Order for Injunctive Relief.** That respondent be further enjoined as follows: *Respondent is not to come within 500 yards of the petitioner Tina Marie Lohr, Shilong Lohr.*

If an emergency order of protection is sought, complete the following:

Good cause exists for granting remedy or remedies requested without prior service of process or notice because: (Check all applicable boxes.)

- A.  The harm which remedies 1, 3, 5, 8, 9, 11, 14, 15, and 16 are intended to prevent would be likely to occur if the respondent were given any prior notice, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief.
- B.  For remedy 2, the immediate danger of further abuse of petitioner by respondent, if petitioner chooses or had chosen to remain in the residence or household while respondent was given any prior notice or, greater notice than was actually given, of petitioner's efforts to obtain judicial relief, outweighs the hardships to respondent of an emergency order granting petitioner exclusive possession of the residence or household.
- C.  For remedy 10, improper disposition of the personal property would likely occur if the respondent were given any prior, or greater notice than was actually given, of the petitioner's efforts to obtain judicial relief or petitioner has an immediate and pressing need for the possession of that property (Ill. Rev. Stat. 1991, ch. 40, par. 2312-17(a)(3)(iii)).

WHEREFORE, petitioner moves the court to grant the relief requested in this petition.

*Lina M. Scher*  
 \_\_\_\_\_  
 Signature of Attorney or Signature of Petitioner, if not represented

VERIFICATION

The undersigned being first duly sworn upon oath states that the contents of the foregoing petition for order of protection are true and correct.

Tina M. Lohar

Petitioner

Subscribed and sworn to before me on the 7 day of Oct, 192002

Lisa Z. Breiman

Judge, Circuit Clerk, Notary Public

[Signature]

Petitioner's Name: Tina M. Lohar

Address: 620 10<sup>th</sup> Street

City: Moline

Phone: (309) 797-6866