

**ORDER DISMISSING EX PARTE
SEXUAL ASSAULT
PROTECTION ORDER
(After Hearing, Ex Parte Issued)**



DC 19:35 Rev. 04/18
Neb. Rev. Stat § 28-311.11

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Petitioner,

Case No. CI 21-9051

o/b/o:

vs.

**ORDER DISMISSING EX PARTE SEXUAL
ASSAULT PROTECTION ORDER
(After Hearing, Ex Parte Issued)**

Respondent.

RENEWAL

THIS MATTER came before the court, pursuant to Neb. Rev. Stat. § 28-311.11, upon the Petition and Affidavit to Obtain Sexual Assault Protection Order. The petitioner (was) (was not) present in court (with counsel, Patrick McWhorter). The respondent (did) (did not) appear (with counsel, Marilyn Hughes).

The petitioner did not appear and no evidence was adduced, and the requested relief should be denied. IT IS THEREFORE ORDERED that the Ex Parte Sexual Assault Protection Order, or the Ex Parte Renewal of a Sexual Assault Protection Order issued on _____, shall not be affirmed and is therefore dismissed.

OR

The petitioner appeared but did not carry his/her burden to establish, by a preponderance of the evidence, the truth of the facts alleged in the Petition and Affidavit to Obtain or Renew a Sexual Assault Protection Order and the requested relief should be denied. IT IS THEREFORE ORDERED that the Ex Parte Sexual Assault Protection Order, or the Ex Parte Renewal of a Sexual Assault Protection Order issued on Sept. 14, 2021, shall not be affirmed and is therefore dismissed with prejudice.

OR

The respondent has shown cause why the requested relief granted in the Ex Parte Sexual Assault Protection Order, or the Ex Parte Renewal of a Sexual Assault Protection Order should be denied and dismissed. IT IS THEREFORE ORDERED that the Ex Parte Sexual Assault Protection Order, or the Ex Parte Renewal of a Sexual Assault Protection Order issued on _____, shall not be affirmed and is therefore dismissed with prejudice.

The dismissal of an Ex Parte Renewal of a Sexual Assault Protection Order does **NOT** dismiss an original or otherwise modified Sexual Assault Protection Order that has not yet expired.

#31 FILED
IN DISTRICT COURT
DOUGLAS COUNTY NEBRASKA
OCT 14 2021
JOHN M. FRIEND
CLERK DISTRICT COURT

The court has made specific findings as set forth below.

IT IS FURTHER ORDERED that all costs of filing and service in this case are (taxed to the petitioner as the court finds, by clear and convincing evidence, that the statements contained in the petition were false and the protection order was sought in bad faith) (taxed to the respondent), or (waived).

DATED AND ENTERED on 10-14-2021.

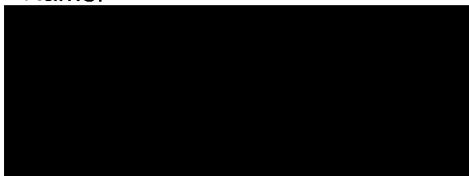
Storhaus
Judge

CERTIFICATE OF SERVICE

The undersigned certifies that on 10/14/2021, a copy of the foregoing was sent by U.S. mail, postage prepaid, to:

Name:

Address:



Neidy Pineda
Clerk of the District Court