

IN THE DISTRICT COURT OF SALINE COUNTY, NEBRASKA
SALINE

[REDACTED],
o/b/o: [REDACTED],
Petitioner,
vs.
[REDACTED],
Respondent.

Case No. CI [REDACTED]

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

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, [REDACTED]).
The respondent (did) (did not) appear (with counsel, Ms. Abbie J. Steiner).

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 _____, 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.

The court has made specific findings as set forth below. Lines Remove Lines

The testimony adduced at the hearing did not indicate the continuing presence of conditions that led to the granting of the original petition. Rather, Petitioner testified he wanted the protection order maintained to act as a continuing barrier between _____ The testimony did not meet the statutory threshold for continuance of the protection order, and it should therefore be dismissed.

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: October 22, 2024 .

