

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA COURT ADDRESS: 190 W. Hedding Street, San José, CA 95110 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, CA 95113 BRANCH NAME: Hall of Justice	<i>FOR COURT USE ONLY</i>
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT & RESTRAINED PERSON:	
PROPERTY REMOVAL ORDERS CRIMINAL DOMESTIC VIOLENCE CASE	CASE NUMBER:

RESTRAINED PERSON: Complete Name: _____ Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht: _____ Wt: _____ Hair Color: _____ Eye Color: _____ Race: _____ Age: _____ DOB: _____ CRIMINAL PROTECTIVE ORDER IN THIS CASE ISSUED ON: _____ PROTECTED PERSON: _____

This proceeding was heard on (date): _____ at (time) _____ in Dept. _____
 by Judicial Officer (name): _____ Protect Party was present

THE COURT ORDERS THAT:

1. The Restrained Person is granted a **one-time exception** to the “no contact” and “stay away” provisions in the Criminal Protective Order (copy attached) issued on _____ to retrieve and remove his/her **necessary personal property**. Items which are not agreed upon shall not be removed. The removal shall occur within five days of this hearing and only if accompanied by a Law Enforcement Officer as defined by Penal Code section 830.1 or 830.2. The Removal shall not occur before 7 a.m. or after 10 p.m.
2. Either party may request a Civil Standby from the Law Enforcement Agency where the Protected Person resides. The Restrained Person shall give a copy of this Property Removal Order and the Criminal Protective Order to the Law Enforcement Officer at the Civil Standby before property removal can take place.
3. The Restrained Person may retrieve and remove “**necessary personal property**” only. “**Necessary personal property**” means the Restrained Person’s clothing, toiletries, prescribed medication, medical records, medical insurance card, driver’s license or state identification card; and passport, credit cards, ATM cards and checkbook(s) bearing the Restrained Person’s name.
4. Other items that may also be removed: _____

5. The Restrained Person shall obey all instructions of a Law Enforcement Officer present on the Civil Standby, who may terminate the property removal process at any time in the Officer’s discretion.
6. The orders herein are for temporary possession and the issue of final ownership of any item may be subject to review by a Court of competent jurisdiction.
7. The **LAW ENFORCEMENT OFFICER** who is present for the civil standby **SHALL NOT ALLOW** the Restrained Person entry into the Protected Person’s residence unless:
 - a.) the Protected Person and/or a designated representative is present **AND**
 - b.) the Protected Person consents to entry by both the Law Enforcement Officer and the Restrained Person **OR** arranges another date and time for the Civil Standby to take place.

Date: _____

 JUDICIAL OFFICER

<input type="checkbox"/> Civil Standby took place on _____, at _____ am/pm Officer’s Badge No. & Signature: _____
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