

THIS ORDER CONSTITUTES A TEMPORARY ORDER OF PROTECTION

At a term of the Family Court
Of the State of New York, held
In and for the County of Saratoga
At the Village of Ballston Spa
On September 13, 1991

Present: Hon. John Austin, Judge, Assigned

In the Matter of

Arlene Collins Carella, Petitioner,

-against-

Charles E. Collins, III, Respondent.

TEMPORARY
ORDER
OF PROTECTION

Docket No.
F-60-85

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY, AFTER COURT HEARING, RESULT IN YOUR COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS FOR CONTEMPT OF COURT.

THIS ORDER EXPIRES: December 13, 1991.

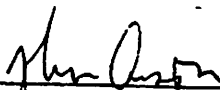
A petition under Article 4 of the Family Court Act, having been filed herein by petitioner, seeking enforcement of an order herein; and petitioner having appeared this date; and respondent not having appeared but having been represented by counsel; and the children of the parties having been represented by a Law Guardian; and petitioner having applied for an order of protection against respondent herein; and attorney for respondent having opposed said application; and the Law Guardian having no objection to such an order; and the Court having reviewed the files herein and finding that a temporary order of protection is necessary and desirable; now, therefore, it is hereby

ORDERED that respondent shall observe the following conditions of behavior in that he shall abstain from disorderly conduct, harassment, menacing, reckless endangerment, assault or attempted assault or any other offensive conduct against the petitioner, or members of her household; and it is further

ORDERED that the above conditions of behavior shall be observed until December 13, 1992; and it is further

ORDERED that the Court's determination is without prejudice to the rights of respondent to a full hearing.

Signed, entered and served this 17th day of September, 1991.


John Austin JFC

Served upon: Nicholas Morsillo, Esq.
Respondent
Michael Catalfimo, Esq.
Douglas Mills, Esq.
Saratoga County Sheriff
Rensselaer County Sheriff

Section 168 of the Family Court Act

In any case in which an order of protection or temporary order of protection has been made by the family court, the clerk of the court shall issue a copy of such order to the petitioner and respondent and to any other person affected by the order. The presentation of a copy of an order of protection or temporary order of protection or a warrant or certificate of warrant to any peace officer, acting pursuant to his special duties, or police officer shall constitute authority for him to arrest a person charged with violating the terms of such order of protection or temporary order of protection and bring such person before the court and, otherwise, so far as lies within his power, to aid in securing the protection such order was intended to afford, provided, however, that any outstanding, unexpired certificate of order of protection or temporary order of protection shall have the same force and effect as a copy of such order or temporary order.

Section 155 of the Family Court Act

If an adult respondent is arrested under this act when the family court is not in session, he shall be taken to the most accessible magistrate and arraigned before him. The production of a warrant issued by the family court, a certificate of warrant, a copy or a certificate or order of protection shall be evidence of filing of a proper information or petition, and the magistrate shall thereupon hold such respondent, admit to, fix or accept bail, or parole him for hearing before the family court.

Section 352.3 of the Family Court Act

An order of protection shall remain in effect for the period specified by the court, but shall not exceed the period of time specified in any order of disposition or order adjourning a proceeding in contemplation of dismissal.