

*Mekisha Jane* [REDACTED]

December 14, 2011

To Whom it May Concern:

I DO NOT want a MOEP. I am not in fear of [REDACTED]. The placement of a MOEP will only make things more difficult with childcare issues. Also, when setting bond in this case, remember what the purpose of setting bond. [REDACTED] will appear in court and setting a higher bond only financially impacts my family finances. Thank you for your consideration in this regard.

Sincerely,

[REDACTED]  
Mekisha Jane [REDACTED]



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

STATE OF TEXAS

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IN THE \_\_\_\_\_

v.

DISTRICT COURT OF

HARRIS COUNTY, TEXAS

**STATE'S MOTION FOR MAGISTRATE'S  
ORDER FOR EMERGENCY PROTECTION**

COMES NOW THE STATE OF TEXAS by and through the undersigned assistant district attorney, and files this Motion for Magistrate's Order For Emergency Protection pursuant to Article 17.292 of the Texas Code of Criminal Procedure in the above styled cause. In support of said Motion, the State of Texas would show the Court the following:

\_\_\_\_\_ hereafter styled the Defendant, has been arrested for the offense of Assault - Family Member in the above styled and numbered cause in which **MEKISHA JANE** \_\_\_\_\_ hereafter styled the Victim, is the victim of the offense and is a protected individual.

According to the Victim:

the Defendant is related to the Victim by consanguinity or affinity, To-wit: the Defendant is the HUSBAND of the Victim.

WHEREFORE, for the welfare and protection of the Victim, the State respectfully moves this court to grant the State's Motion for Magistrate's Order For Emergency Protection and order the Defendant from:

- committing family violence involving the Victim;
- committing an act in furtherance of an offense under Section 42.072 of the Texas Penal Code involving the Victim;
- communicating directly with the Victim in a threatening or harassing manner;
- communicating a threat through any person to the Victim;
- possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- going to or near the residence of the Victim, specifically, within 200 feet of residence, to-wit: \_\_\_\_\_
- going to or near the place of employment or business of the Victim, more specifically, within 200 feet of the place of employment, to-wit: 917 Franklin, Suite 100, Houston, Texas 77002

Respectfully submitted,

\_\_\_\_\_  
Assistant District Attorney  
Harris County, Texas  
1201 Franklin, Suite 600  
Houston, Texas 77002-1900  
(713) 755-5800

STATE OF TEXAS

v.

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IN THE \_\_\_\_\_

DISTRICT COURT OF

HARRIS COUNTY, TEXAS

**MAGISTRATE'S ORDER FOR EMERGENCY PROTECTION**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a request that this court issue a Magistrate's Order for Emergency Protection against ██████████ hereafter styled the Defendant was presented to the Court. The Court finds that on \_\_\_\_\_, 20\_\_ , Defendant was arrested for the offense of Assault Family Member

The Court finds that **Mekisha Jane** ██████████ hereafter styled the Victim, is the victim of the offense and is now designated a protected individual. The Court finds:

the Defendant is related to the Victim by consanguinity or affinity, To-wit: the Defendant is the Husband of the Victim.

This Court finds that the Defendant and the Victim are members of the same family or household as defined in Chapter 71 of the Texas Family Code. This Court finds that the defendant has been arrested for an offense involving family violence as defined in Chapter 71 of the Texas Family Code or of an offense under Section 42.072 (Stalking) of the Texas Penal Code.

**ORDERS**

THEREFORE, IT IS HEREBY ORDERED, pursuant to Article 17.292 of the Texas Code of Criminal Procedure that:

the Defendant is prohibited from:

- committing family violence involving the Victim;
- committing an act in furtherance of an offense under Section 42.071 (Stalking) of the Texas Penal Code involving the Victim;
- communicating directly with the Victim in a threatening or harassing manner;
- communicating a threat through any person to the Victim;
- possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- going to or near the residence of the Victim, specifically, within 200 feet of residence, to-wit: ██████████  
██████████
- going to or near the place of employment or business of the Victim, more specifically, within 200 feet of the place of employment, to-wit: 917 Franklin, Suite 100, Houston, Texas 77002

the District Clerk of Harris County, Texas, shall serve a copy of this Order on the Defendant in open court; and,

the District Clerk of Harris County, Texas shall send a copy of this Order to:

- the Victim;
- the Chief of Police for the County of Harris;
- the Child Care Facility described herein, if any;
- the School described herein, if any.

the law enforcement agency holding the defendant shall make a good faith effort to notify the Victim, within 24 hours from the issuance of the order, that the order has been issued.



**WARNINGS**

**A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE OR A STALKING OFFENSE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS.**

**THE POSSESSION OF A FIREARM BY A PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A PAID FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO THIS ORDER MAY BE PROSECUTED AS A SEPARATE OFFENSE PUNISHABLE BY CONFINEMENT OR IMPRISONMENT.**

**NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.**

**TO THE EXTENT THAT A CONDITION IMPOSED BY THIS ORDER CONFLICTS WITH AN EXISTING COURT ORDER GRANTING POSSESSION OF OR ACCESS TO A CHILD, THE CONDITION IMPOSED UNDER THIS ARTICLE PREVAILS FOR THE DURATION OF THE ORDER FOR EMERGENCY PROTECTION.**

This Order is effective immediately and shall remain in effect until the 61st day after the date of issuance.

Date of issuance: \_\_\_\_\_

\_\_\_\_\_  
Magistrate  
Harris County, Texas

I certify that I have received a copy of this Magistrate's Order for Emergency Protection in open court at the Magistrate's hearing.

\_\_\_\_\_  
(Defendant's Signature)

\_\_\_\_\_  
(Date)

Delivered, mailed or electronically transmitted on \_\_\_\_\_,

to the protected person(s) and address(es) named in this order, by \_\_\_\_\_  
(court official).