CH-100 Request for Orders to Stop Harassment

Clerk stamps date here when form is filed.

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 08 2010

By [signature] Deputy

(1) Your name *(person asking for protection)*:
Bertha (Bea) Cortes

Your address *(skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead)*:
22187 De Berry Street

City: Grand Terrace State: Ca Zip: 92313

Your telephone number *(optional)*: (900) 825-8517

Your lawyer *(if you have one): (Name, address, telephone number, and State Bar number)*:

Fill in court name and street address:
Superior Court of California, County of
Superior Court of San Bernardino
San Bernardino District, Civil Division
303 West 3rd Street
San Bernardino, CA 92415

(2) Name of person you want protection from:
Kay Moore

Describe the person: Sex: ☐ M ☑ F Weight: ✓
Height: 5'5" Race: WHITE Hair Color: Brown
Eye Color: BROWN Age: 65 Date of Birth: Unknown

Court fills in case number when form is filed.
Case Number:
CIVDS 1008023

Home Address *(if you know)*: 23238 West Brook (?)
City: Grand Terrace State: CA Zip: 92313
Work Address *(if you know)*:
City: State: Zip:

(3) Besides you, who needs protection? *(Family or household members)*

Full Name	Sex	Age	Lives with you?	How are they related to you?
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	

☐ *Check here if you need more space. Attach a sheet of paper and write "CH-100, item 3—Describe Protected Persons" at the top of the page.*

(4) Why are you filing in this court? *(Check all that apply)*:
- ☑ The person in (2) lives in this county.
- ☑ I was hurt (physically or emotionally) by the person in (2) here.
- ☑ Other *(specify)*: Fear for my safety

(5) How do you know the person in (2)? *(Describe)*:
A resident of Grand Terrace

This is not a Court Order.

American LegalNet, Inc.
www.FormsWorkflow.com

Your name: Bertha (Bea) Cortes

Case Number: CIVDS 1008023

(6) Describe how the person in (2) has harassed you:

a. Date of most recent harassment: June 3, 2010

b. Who was there? Patrons at the Light House, a restaurant in Grand Terrace

c. Did the person in (2) commit any acts of violence or threaten to commit any acts of violence against you?
☑ Yes ☐ No

If yes, describe those acts or threats: She came up close to my face in the lady's room and stood in the middle so I had to go around her. She said "you weren't doing so well the other day (6/1)" because she was referring to what she did earlier (humiliating me & making me cry in front of everyone).

d. Did the person in (2) engage in a course of conduct that harassed you and caused substantial emotional distress? ☑ Yes ☐ No

If yes, describe: She makes me feel very nervous, fearful & intimidated by her actions, words, stares & behavior. I do my routine errands out of town to avoid coming across her or that she might come up behind me; therefore, I fear that she'll hit hit me or do harm me. I don't feel safe. She has a problem.

e. Did the conduct of the person in (2) described above seriously alarm, annoy, or harass you? ☑ Yes ☐ No

☐ *Check here if you need more space. Attach a sheet of paper and write "CH-100, item 6—Describe Harassment" at the top of the page.*

Check the orders you want ☑

(7) ☑ **Personal Conduct Orders**

I ask the court to order the person in (2) to **not** do the following things to me or anyone listed in (3):

a. ☑ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.

b. ☑ Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail.

The person in (2) will also be ordered not to take any action to get the addresses or locations of any protected persons, their family members, or their caretakers unless the court finds good cause not to make the order.

(8) ☑ **Stay-Away Orders**

I ask the court to order the person in (2) to stay at least *(specify):* 100 yards away from me and the people listed in (3) and the places listed below: *(Check all that apply):*

a. ☑ My home
b. ☑ My job or workplace
c. ☐ My children's school or child care
d. ☑ My vehicle
e. ☑ Other *(specify):* City council meetings, city hall, city forums, city events/activities & any other place in GT

If the court orders the person in (2) to stay away from all the places listed above, will that person still be able to get to his or her home, school, or job? ☑ Yes ☐ No

If no, explain:

This is not a Court Order.

Your name: Bertha (Bea) Cortes

Case Number: CIVDS 1008023

(9) ☐ **Others to Be Protected**

Should the other people listed in (3) also be covered by the orders described above?

☐ Yes ☐ No ☑ Does not apply

If yes, explain:

(10) **Order About Guns or Other Firearms**

I ask the court to order the person in (2) to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms **and** to sell or turn in any guns or firearms that he or she controls.

(11) ☑ **Other Orders**

I ask the court to order the person in (2) to *(specify)*: Stay away from me, keep her foul language to herself, quit threatening me, keep her political views to herself & never speak to me. For her never to touch me. Never acknowledge me where ever I may be.

(12) ☑ **Temporary Orders**

Do you want the court to make orders now on the matters listed in (7), through (11) that will last until the hearing? ☑ Yes ☐ No

If yes, explain why you need these orders right now: I fear that she'll see me within the city when I least expect it and will continue to harass me and do bodily harm to me. Also, I might be with my family. She has a very bad temper, her husband couldn't keep her from shouting at me or threatening me by saying she was going to kick me out. She would yell at anyone that spoke to me.

☐ *Check here if you need more space. Attach a sheet of paper and write "CH-100, item 12—Temporary Orders" at the top of the page.*

(13) **Delivery of Orders to Law Enforcement**

My lawyer or I will give copies of the orders to the following law enforcement agencies:

a. Name of Agency: San Bernardino County Sheriff

Address: 655 East Third Street

City: San Bernardino State: Ca Zip: 92415

b. Name of Agency:

Address:

City: State: Zip:

(14) ☑ **Other Court Cases**

Have you ever asked any court for other restraining orders against the person in (2)? ☐ Yes ☑ No

If yes, specify the counties and case numbers if you know them:

This is not a Court Order.

Case No. GVDS 1008023

Your name: Bertha (Bea) Cortes

(15) ☐ **Time for Service**

You must have your papers personally served on (notify) the person in (2) at least 5 days before the hearing, unless the court orders a different time for service. *(Form CH-135 explains "What Is Proof of Service?" Form CH-130 may be used to show the court that the papers have been served.)* If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

(16) ☑ **No Fee for Filing**

I ask the court to waive the filing fee because the person in (2) has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

(17) ☑ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve (notify) the person in (2) about the orders for free because:

a. ☐ My request for orders is based on stalking; or

b. ☑ My request for orders is based on a credible threat of violence; or

c. ☑ I am entitled to a fee waiver.

(If you are requesting free service of the orders based on a fee waiver, you must complete and file the Application for Waiver of Court Fees and Costs *(Form FW-001).)*

(18) ☐ **Lawyer's Fees and Costs**

I ask the court to order payment of my:

a. ☐ Lawyer's fees

b. ☐ Out-of-pocket expenses

The amounts requested are:

Item	Amount	Item	Amount
	$		$
	$		$
	$		$

☐ *Check here if you need more space. Attach a sheet of paper and write "CH-100, item 18—Lawyer's Fees and Costs" at the top of the page.*

(19) **Additional Relief**

I ask the court for additional relief as may be proper.

(20) Number of pages attached to this form, if any: 0

Date:

n/a
Lawyer's name

▶ *Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: June 8, 2010

BERTHA (BEA) CORTES
Type or print your name

▶ Bertha (Bea) Cortes
Sign your name

This is not a Court Order.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

BERTHA (BEA) CORTES

Case No. CIVDS 1008023

vs.

CERTIFICATE OF ASSIGNMENT

KAY MOORE

A civil action or proceeding presented for filing must be accompanied by this certificate. If the ground is the residence of a party, name and residence shall be stated.

The undersigned declares that the above-entitled matter is filed for proceedings in the _____ District of the Superior Court under Rule 404 of this court for the checked reason:

☐ General ☐ Collection

		Nature of Action	Ground
☐	1	Adoption	Petitioner resides within the district.
☐	2	Conservator	Petitioner or conservatee resides within the district.
☐	3	Contract	Performance in the district is expressly provided for.
☐	4	Equity	The cause of action arose within the district.
☐	5	Eminent Domain	The property is located within the district.
☐	6	Family Law	Plaintiff, defendant, petitioner or respondent resides within the district.
☐	7	Guardianship	Petitioner or ward resides within the district or has property within the district.
☒	8	Harassment	Plaintiff, defendant, petitioner or respondent resides within the district.
☐	9	Mandate	The defendant functions wholly within the district.
☐	10	Name Change	The petitioner resides within the district.
☐	11	Personal Injury	The injury occurred within the district.
☐	12	Personal Property	The property is located within the district.
☐	13	Probate	Decedent resided or resides within the district or had property within the district.
☐	14	Prohibition	The defendant functions wholly within the district.
☐	15	Review	The defendant functions wholly within the district.
☐	16	Title to Real Property	The property is located within the district.
☐	17	Transferred Action	The lower court is located within the district.
☐	18	Unlawful Detainer	The property is located within the district.
☐	19	Domestic Violence	The petitioner, defendant, plaintiff or respondent resides within the district.
☐	20	Other _____	_____
☐	21	THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT.	

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the above-designated district is:

LIGHT HOUSE RESTAURANT — BARTON RD.
(NAME - INDICATE TITLE OR OTHER QUALIFYING FACTOR) — ADDRESS

GRAND TERRACE — CA — 92313
(CITY) — (STATE) — (ZIP CODE)

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was executed on June 8, 2010 at SAN BERNARDINO, California

Bertha Bea Cortes
Signature of Attorney/Party

13-16503-360 Rev. 10/94

SB-16503

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Bertha (Bea) Cortes
22187 De Berry Street
Grand Terrace, Ca 92313

TELEPHONE NO.: 909.825.8517 FAX NO.:

ATTORNEY FOR (Name):

FOR COURT USE ONLY

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

JUN 08 2010

BY [signature] Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino
STREET ADDRESS: Third Street
MAILING ADDRESS:
CITY AND ZIP CODE: San Bernardino, Ca
BRANCH NAME:

Superior Court of California, County of San Bernardino
San Bernardino District, Civil Division
303 West 3rd Street
San Bernardino, CA 92415

CASE NAME:

CIVIL CASE COVER SHEET

☐ **Unlimited** (Amount demanded exceeds $25,000)
☐ **Limited** (Amount demanded is $25,000 or less)

Complex Case Designation

☐ **Counter** ☐ **Joinder**

Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: CIVDS 1008023

JUDGE:

DEPT:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
- ☐ Auto (22)
- ☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- ☐ Asbestos (04)
- ☐ Product liability (24)
- ☐ Medical malpractice (45)
- ☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- ☐ Business tort/unfair business practice (07)
- ☐ Civil rights (08)
- ☐ Defamation (13)
- ☐ Fraud (16)
- ☐ Intellectual property (19)
- ☐ Professional negligence (25)
- ☐ Other non-PI/PD/WD tort (35)

Employment
- ☐ Wrongful termination (36)
- ☐ Other employment (15)

Contract
- ☐ Breach of contract/warranty (06)
- ☐ Rule 3.740 collections (09)
- ☐ Other collections (09)
- ☐ Insurance coverage (18)
- ☐ Other contract (37)

Real Property
- ☐ Eminent domain/Inverse condemnation (14)
- ☐ Wrongful eviction (33)
- ☐ Other real property (26)

Unlawful Detainer
- ☐ Commercial (31)
- ☐ Residential (32)
- ☐ Drugs (38)

Judicial Review
- ☐ Asset forfeiture (05)
- ☐ Petition re: arbitration award (11)
- ☐ Writ of mandate (02)
- ☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
- ☐ Antitrust/Trade regulation (03)
- ☐ Construction defect (10)
- ☐ Mass tort (40)
- ☐ Securities litigation (28)
- ☐ Environmental/Toxic tort (30)
- ☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- ☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint
- ☐ RICO (27)
- ☐ Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- ☐ Partnership and corporate governance (21)
- ☑ Other petition *(not specified above)* (43)

2. This case ☐ is ☑ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   - a. ☐ Large number of separately represented parties
   - b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   - c. ☐ Substantial amount of documentary evidence
   - d. ☐ Large number of witnesses
   - e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   - f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. ☐ monetary b. ☑ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action *(specify)*:
5. This case ☐ is ☑ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: June 8, 2010
Bertha (Bea) Cortes
(TYPE OR PRINT NAME)

Bertha (Bea) Cortes
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 [Rev. July 1, 2007]

CIVIL CASE COVER SHEET

Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740;
Cal. Standards of Judicial Administration, std. 3.10
www.courtinfo.ca.gov

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