

IN THE TRIAL COURT OF  
THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA  
SHAWNEE, OKLAHOMA 74801

Eden Yeahpau )  
Plaintiff, )  
 ) Case No. PO-2022-16  
 )  
Joseph Garcia Defendant. )

NOTICE OF HEARING

The above-entitled matter is hereby set for hearing at the hour of 1:30pm o'clock a.m. on the 11th day of January, 2023 in the Absentee Shawnee Tribal Court Room, at the Absentee Shawnee Tribal Complex, 2025 South Gordon Cooper Drive, Shawnee, Oklahoma, 74801. If you are unable to attend you may file a motion of continuance up to the day prior to Court at 4:30pm. All filings must be filed up to the day prior to court by 4:30 pm. We will not accept filings after that time.

Dated at Shawnee, Oklahoma, this 2nd day of December, 2022.



Chelsea Cope, COURT CLERK or  
Ashley Hudson Deputy Court Clerk

(S E A L)

CERTIFICATE OF MAILING

This will certify that on this 2nd day of December, 2022, a true and correct copy of the above and foregoing instrument was mailed, postage prepaid, to:

Ashley Hudson or Chelsea Cope  
DEPUTY COURT CLERK or COURT CLERK

# ORDER OF PROTECTION

Final Order  Alias  Continued Order

Amended Order  Temporary Order

Absentee Shawnee Tribe  
Trial Court

Case No. PO- 20 22-16

Court Phone Number (405)275-4030x120

Eden **Petitioner** Yeah pa  
First Middle Last  
and/or on behalf of minor family member(s)

### Additional Petitioner Information

Name(s) and age(s) of minor family member(s)

**-VS-** Joseph **Defendant(s)** Garcia  
First Middle Last

Relationship to Petitioner: \_\_\_\_\_

Defendant's Address: \_\_\_\_\_

1650 S. Phillips Ave  
OKC, OK 73129

### Defendant Identifiers

SEX	RACE	DOB	HT	WT
<u>M</u>		<u>4-10-81</u>		
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #	STATE	EXPIRES		
Other				

### CAUTION:

(Clerk's File Stamp Below)

Weapon Involved-Type:

Weapon Present on Property

Unknown if Weapon Present

FILED in the Office  
of the Court Clerk

DEC 02 2022

Absentee Shawnee Tribal Court  
Court Clerk

### THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Defendant has been or will be provided with reasonable notice and opportunity to be heard. Additional findings of this Order follow on succeeding pages.

### THE COURT ORDERS:

The above named Defendant to not commit further acts or threats of abuse.

The Defendant and Petitioner must appear in the District Court of the above named County on the 11<sup>th</sup> day of January, 2023 at 1:30 AM/PM before Judge Gi Ford, in Courtroom # AST.

Additional terms of this Order follow on succeeding pages.

The terms of this Order shall be effective until January 11<sup>th</sup>, 2023 at 1:30 AM/PM

### WARNINGS TO DEFENDANT:

This Order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on tribal lands (18 U.S.C. §2265). Crossing state, territorial or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. §2262).

Federal law provides penalties for possessing, transporting, shipping or receiving any firearm or ammunition (18 U.S.C. §922(g)(8)) with penalty up to \$250,000 fine and 10 years in prison.

Only the District Court can change this Order.

**ORDER OF PROTECTION – Continuation, Page 2 of 3**

1.  **CONTINUED ORDER** by stipulation or agreement without a hearing or finding of domestic abuse. Federal Firearms prohibition does not apply.
2.  **DOMESTIC ACTION PENDING** – This matter shall be reviewed and further matters heard by the Court having jurisdiction of domestic relations matter pending between the parties.
3.  **FINAL ORDER** – No finding of domestic abuse and/or stalking. Federal Firearms prohibition does not apply.
4.  **FINAL ORDER – DOMESTIC ABUSE AND/OR STALKING.** Following hearing of which Defendant had notice and opportunity to appear and respond, the Court finds that the Defendant represents a credible threat to the physical safety of an intimate partner or child. Defendant is prohibited from possession of firearms or ammunition for the term of this Order.
5.  **AMENDED ORDER** – This order amends and replaces all prior orders issued herein.

**THE COURT FURTHER ORDERS as specifically marked in check boxes below:**

6.  Defendant to have **no contact** with Petitioner, either in person or by telephone, at any time or place.
7.  Defendant to not abuse, threaten, injure, assault, molest, stalk, harass or otherwise interfere with Petitioner and not damage or injure any property in which Petitioner has any interest.
8.  The Court assumes emergency jurisdiction under UCCJEA of child visitation/custody orders due to physical violence or threat of abuse by Defendant or a threat to violate a custody order by Defendant and further orders with reference to the child(ren) named in the caption of this action, which shall remain in full force and effect until such time as a Court having jurisdiction to make child custody or visitation orders shall act to modify these provisions. The following is ordered:
  - 8a  All visitation is suspended until another Court assumes jurisdiction and modifies.
  - 8b  All visitation must be supervised, and in the presence of the following Supervisor: \_\_\_\_\_
  - 8c  Pickup/Delivery of child(ren) for visitation shall be by/at \_\_\_\_\_
  - 8d  Other: \_\_\_\_\_
9.  Defendant to not stalk the Petitioner.
10.  Defendant to leave and remain away from the residence located at \_\_\_\_\_ on or before \_\_\_\_\_ at \_\_\_\_AM/PM, and take no action to change utilities or telephone service.
11.  If this Order is served at the residence to be vacated, order Law Enforcement Officers to remain at the residence until Defendant removes necessary clothing and personal effects and leaves the premises.
12.  Defendant shall within 30 days secure an assessment/evaluation for
  - 12a  **DOMESTIC VIOLENCE**, and/or
  - 12b  **SUBSTANCE ABUSE** from a Licensed Professional or Certified/Approved Treatment Program, file recommendations in this case and follow the treatment recommendations. Within 30 days after evaluation, Defendant shall enroll in such recommend programs approved by the Department of Mental Health, Certified/Approved Treatment Program, or licensed Professional and regularly attend to completion of any and all program(s), and file in this case proof of attendance and completion. All costs shall be paid by Defendant.
  - 12c  Defendant is ordered to personally reappear before the Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_ AM/PM to show proof of compliance and attendance in programs as ordered above. Failure of Defendant to appear will result in issuance of a Body Attachment (Warrant) for arrest of Defendant.
13.  Defendant shall pay the court costs and costs of service within \_\_\_\_ days of this date.
14.  Defendant shall pay Petitioner's attorney fees of \$ \_\_\_\_\_ within \_\_\_\_ days of this date.
15.  Payment of court costs is waived by the Court.

ORDER OF PROTECTION – Continuation, Page 3 of 3

16.  IT IS FURTHER ORDERED: \_\_\_\_\_

17.  EXCEPTIONS AND MODIFICATIONS TO ABOVE ORDERS:

17a  Parties may communicate at reasonable hours and times regarding visitation with minor child(ren).

17b  \_\_\_\_\_

**WARNING TO DEFENDANT:**

1. This Order is effective immediately.
2. The filing or non-filing of criminal charges and the prosecution of the case shall not be determined by a person who is protected by this Order, but shall be determined by the District Attorney.
3. 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.
4. This Order shall be in effect for up to three (3) years unless extended, modified, vacated or rescinded by the Court. This Order expires on the date shown on Page 1.
5. A violation of this Order in Oklahoma is punishable by a fine of up to one thousand dollars (\$1,000.00) or up to one (1) year in the county jail, or by both such fine and imprisonment. A violation of this Order which causes injury shall be punishable by twenty (20) days to one (1) year in the county jail or a fine of up to five thousand dollars (\$5,000.00) or by both such fine and imprisonment. Other penalties are provided in other states and for federal violations.
6. Possession of a firearm or ammunition by a Defendant while this Order is in effect, may subject the Defendant to prosecution for a violation of federal law even if this order does not specifically prohibit the Defendant from possessing a firearm or ammunition.
7. This Order complies with the *Violence Against Women Act's* full faith and credit provision (18 U.S.C. §2265) and this Order is enforceable throughout Oklahoma and in all 50 states, U.S. territories, tribal lands and the District of Columbia.

Dated this 15<sup>th</sup> day of December, 2022.

  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

**RECEIPT FOR SERVICE OF ORDER**

The undersigned Defendants were present in open Court when the above Order was entered by the Court, and by their signatures below indicate Service and Receipt of a true copy of the above Order of the Court.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Defendant

(Validity and enforceability of this Order does not require signature(s) above)