

FILED SEP 29 2022

SHIRLEY E. FAUST Clerk
By Shirley E. Faust Deputy

Debbie D. Maplethorpe

5675 Donovan Creek Rd.

Clinton, MT 59825

(406)-543-3327

MONTANA FOURTH JUDICIAL DISTRICT COURT

MISSOULA, COUNTY

JUDGE Shane Vannatta

Debbie D Maplethorpe

Petitioner,

vs.

Monty L Field

Respondent.

DEPT. NO. 5

CAUSE NO. DR-22-613

SWORN PETITION FOR TEMPORARY ORDER OF
PROTECTION AND REQUEST FOR A HEARING

The law requires that Respondent be given a copy of this completed form and all attachments.

- 1. Request for Temporary Order of Protection.** Under oath and as provided by Mont. Code Ann. §40-15-201, I request that the Court issue a Temporary Order of Protection against Respondent. **I believe I am in danger of harm** if the Court does not issue a Temporary Order of Protection immediately.
- 2. Protected Person/s.** I am seeking an Order of Protection for (*check all that apply*):

☒ Myself.

☐ The following minor child/ren:

Children			Age	How child is related to:		Who does the child live with?
Last name	First name	MI		You	Respondent	

☒ Other people who have asked to be protected (must be victims of the abuse or have witnessed the abuse):

Last Name	First Name	MI	Relationship to You and Respondent	
Field	Diane	E	Sister	Sister

3. Residence.

I live or am staying in the city of Clinton in Missoula County, Montana.

Respondent lives in the city of Missoula in Missoula County, State of MT.

The abuse or offense happened in Clinton in Missoula County, State of MT.

☒ The Respondent does not live with me.

☐ I live with the Respondent at

☐ I have left the residence where I lived with the Respondent and I want to return:

☐ To live at the residence. ☐ To get personal belongings. ☐ Other

☐ A business is run from the home. Type of business:

Run by: ☐ me ☐ Respondent ☐ both me and Respondent

4. Relationship to the Respondent (Check all that apply to the relationship between the Respondent and you or the person(s) for whom you are seeking protection).

☒ I (or the person I want protected) have/has a relationship with the Respondent as follows

☐ Married or common law married Length of time of the dating relationship

☐ Were married, but are now separated How often saw each other

☐ Divorced Time since relationship ended

☐ Are currently dating or having an ongoing intimate relationship

☐ Live together

☒ Lived together in the past

☐ Have a child or children together

☒ Am a family member or a former family member of Respondent

☐ Dated or had an ongoing intimate relationship in the past *If a dating relationship, please describe:*

Nature of relationship

☐ Victim of Sexual Assault

☐ Victim of Stalking

☐ Victim of Assault

☒ Victim of Other (describe how you know Respondent) Family member of deliberate homicide victim

☐ I am the parent, guardian or other person supervising the welfare of a child less than 16 years of age and request that the Respondent, a person over 18 years of age and who has no legal right of supervision or control over the child, stop contacting the child because I believe that the contact is not in the child's best interests as set forth in MCA § 45-5-622 (4).

5. **Information about the Violence.** Please explain what the Respondent did to you (and/or the person you want protected). Be specific. Write down places and dates as well as you can remember. It does not matter when the abuse happened or whether you reported it to the police. But you must tell the judge why you are afraid now.

A. Recent violence:

When was the most recent incident? 9/25/22

Was anyone else there? Shane Field (my brother)

Where did it take place? At garage of Court house parking lot.

What did the Respondent do or say that made you (and/or the person you want protected) afraid?

We had picked him up, my mom was murdered. He was one of the suspects and my sister Diane. I asked him what happened & he said that I had accused him, and went off. & then said I was

Did the Respondent use or threaten to use a gun or other weapon? If yes, list how: NO

to die a slow horrible death, and no one to save me. That I was a fucking bitch.

Describe any injuries:

None

Did the police come? ☐ Yes ☒ No they were there but not in hearing.

B. PAST ABUSE

Describe any past abuse. Explain what happened in past situations. Be sure to explain when the abuse occurred, where it happened, and who was there. Explain why you (and/or the person you want protected) are afraid now.

He was very verbally abusive & relentlessly ranting. He is saying my sister Diane did this. He claims he couldn't get to them to ~~stop them~~ stop them. But my sister tells a different story. She is very traumatized by the whole thing. She has limited communication skills. But does not know how to lie or invent a story. I do not feel safe around Monty and I don't trust him around my sister. ~~He is a~~

taunting

1 He has been calling me
2 And ^{taunting} me. Said God knows,
3 you know, how does it feel.
4 Or that I am evil & wicked.
5 These are things he wanted to
6 say mom before her life was
7 ended. I do not want him
8 calling me.

12 Past violence: Please describe previous incidents. It does not matter when the abuse happened or if you reported
13 it to the police.

☒ Check here if you need more space to write. Attach a sheet of 8 ½ x 11 paper and write "Explanation of What Happened" at the top. *Do NOT use the back of this form.*

6. **Firearms:** To the best of your knowledge, does the Respondent possess firearms? ☐ Yes ☒ No ☐ Uncertain.

Where are the firearms located?

7. **Other Court Cases:** ☐ A divorce, legal separation, custody case or abuse/neglect case between me (and/or the person I want protected) and Respondent has been filed in _____ County,

State of _____.

Is the family law case listed above still pending? ☐ Yes ☐ No.

Did the court issue a parenting plan? ☐ Yes ☐ No.

☐ A criminal charge of _____ was filed against: ☐ me or the ☐ Respondent in _____ court _____ County, State of _____.

☐ List any other cases that you (and/or the person you want protected) or Respondent are or have been involved in:

I ask the court to Order the following:

(Check and fill out the provisions you want the court to include in your Order of Protection).

1. ☒ Respondent shall not commit or threaten to commit acts of violence against me and/or the other Protected People: Diane E. Field

2. ☒ Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate directly or indirectly, with me and/or the other Protected People:
Diane E. Field

3. ☐ Respondent shall not take the following child(ren) from Missoula County:

4. ☒ List the distance, up to 1500 feet, that you want Respondent to stay away from you and/or the person you want protected and the places you check below.

Respondent must stay 1500 feet from:

☒ Me (Petitioner)

1 ☐ Minor children:

2
3 ☒ Other people:

4 Diane E. Field

5 ☒ My home (if you want the location of your home to be secret, do not list):

6 5675 Donovan Creek Rd.
7 Clinton, MT 59825

8 ☐ My job or workplace:

9
10 ☐ My vehicle:

11
12 ☐ Child(ren)'s school(s) or childcare:

13
14
15 ☐ Other places (describe):

16
17 5. ☐ Respondent used or threatened me with firearms. Respondent shall not possess these firearms:

18
19 6. ☐ Respondent must not take, hide, sell, give away, borrow against, damage, or otherwise dispose of property
20 belonging to me (and/or the person I want protected) or Respondent or both of us.

21
22 7. ☐ Respondent must give me (or the person I need protected) possession or use of the following items (items
23 may include the residence, automobile and other *essential* personal property no matter who owns it):

24
25 8. ☐ I (and/or the person I need protected) need a peace officer to help get the property listed in number 7 or I
 request that a peace officer come with Respondent when picking up his/her property or belongings.

1 9. ☐ The following is also ordered to provide for the safety and welfare of Petitioner and/or the Protected
2 Persons:

3 10. ☐ The Court should order the following to provide for the safety and welfare of me and/or the person I want
4 protected, and family:

5 11. **Parenting of Child/ren.** Note: Justice and Municipal Courts can protect minor children by listing them on the
6 Order of Protection. Although these courts can provide short term visitation plans, they cannot make
7 parenting plans. If you need a parenting plan, you need to file an action in your local District or Tribal Court.
(Choose one).

8 ☒ Parenting of child/ren does not apply in this case.

9 ☐ The protections I have asked for in Paragraph 2 will keep Respondent away from the children. Therefore, a
10 visitation schedule is unnecessary.

11 ☐ I want the children listed in Appendix A to have parenting time with Respondent. I am
12 attaching Appendix A that says the visitation schedule I want. (Fill in and attach Appendix A).

13 12. Other Relief: The Court should order other protection as it deems just and proper.

14
15
16 **I SWEAR UNDER OATH OR AFFIRM I HAVE READ THIS APPLICATION, OR HAVE HAD IT**
17 **READ TO ME, AND THE FACTS STATED IN THIS APPLICATION ARE TRUE AND CORRECT**
18 **TO THE BEST OF MY KNOWLEDGE. I ALSO UNDERSTAND THAT PROVIDING FALSE**
INFORMATION IS A CRIME.

19 ☒ *I declare under penalty of perjury, under the law of Montana, that the foregoing is true and correct,*
20 *executed on this day:*

21 Date: 9/29/22

Signed: 

Petitioner

NOTARY SEAL OR JUDGE'S SIGNATURE

STATE OF MONTANA)
 : ss.
County of Missoula)

Debbie D Maplethorpe , the Petitioner, after having been sworn, states as follows:

SUBSCRIBED AND SWORN to before me this 29th day of September, 20 22.

Emilie A
Judge/Clerk/Notary

(For use by Notary)

(signed)

(printed)

Notary Public for the State of Montana.

Residing at: _____

My Commission expires: _____

