

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY DIVISION—DOMESTIC RELATIONS BRANCH

Kelly Mullens, Petitioner,
v.
Andres Martinez, Respondent,

IF No. 08CPO1143

RETURN OF SERVICE

- FOR: Petition and affidavit for a Civil Protection Order
 Temporary Protection Order
 Motion to Modify/Extend Civil Protection Order
 Motion to Adjudicate Criminal Contempt
 Other: NOHOTA + Notice to Respondent

Respondent's Home Address:
2301 Champlain Street, NW
#208, Washington DC 20009

Respondent's Work Address:
The New America Foundation
1630 Connecticut Ave NW, 7th Floor
Washington DC 20009

I am a competent person over eighteen years of age, who lives or works in the District of Columbia.
I have no interest in the subject matter of this lawsuit and I am not a party to the lawsuit.

On (date): _____, at (time): _____

I personally served the respondent at (location): _____

I personally served a person of suitable age and discretion living at Respondent's address
(name and/or description): _____
(address): _____

Remarks: _____

Name of Process Server (Please Print)

Signature of Process Server

Address of Process Server: Residence; Business

Subscribed and sworn before me:

Deputy Clerk or Notary Public

Date: _____

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
DOMESTIC VIOLENCE UNIT (202) 879-0157

Kelley Mullens , Petitioner,
v.
Andres Martinez , Respondent.
TO: Andres Martinez

No. 08CP01143

NOTICE OF HEARING AND ORDER TO APPEAR

You are commanded to appear in person in Courtroom 113 of the Superior Court of the District of Columbia, 500 Indiana Avenue, N.W., Washington, D.C., on April 28, 2008 at 9:00 a.m., for an evidentiary hearing, where the court will consider.

- A Petition and Affidavit for a Civil Protection Order which has been filed against you. A copy is attached.
- A Motion to Modify/Extend a Civil Protection Order which has been filed against you. A copy is attached.
- _____
- _____
- _____

A copy is attached.

You should carefully review the document that has been filed against you so that you can be fully prepared for the court hearing.

- The attached Petition or Motion contains a request for:
- child support
 - spousal support
 - property damage reimbursement
 - attorney's fees
 - other: _____

- As a result, You MUST bring the following documents to the hearing:
1. Two recent pay stubs or wage statements from your present or most recent employer;
 2. Income tax returns for the past two years; AND
 3. An Employer's Statement form (attached), fully completed and signed by your current or most recent employer.

**IF YOU FAIL TO APPEAR AT THIS HEARING A BENCH WARRANT
MAY BE ISSUED FOR YOUR ARREST**

Witnessed by the Honorable Judge of the Superior Court of the District of Columbia.

Clerk of the Superior Court of the District of Columbia
By: [Signature]
Deputy Clerk

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
DOMESTIC VIOLENCE UNIT (202) 879-0157

Kelly Mullens, Petitioner

Case No: 08-CPO-1143

Andres Martinez, Respondent

TEMPORARY PROTECTION ORDER

Upon consideration of the petition filed in this case, the Court finds that the safety or welfare of Petitioner and/or a family member is endangered by Respondent within the meaning of D.C. Code 16-1004(d) (1989). Therefore: IT IS HEREBY ORDERED that for a period of 14 days from the date of this Order, Respondent shall observe the following conditions:

- Respondent shall NOT assault, threaten, stalk, harass or physically abuse Petitioner or ~~his/her child(ren)~~ or destroy property in any manner.
- Respondent shall stay at least 100 feet away from petitioner's person; home; work place; children's school/day care; other: Margaret Mullens
- Respondent shall not contact Petitioner in any manner, including but not limited to: by telephone; in writing; in any other manner, either directly or through a third party.
- Temporary custody of the following minor children is awarded to: Petitioner; Respondent. (name and date of birth): _____
- Respondent shall vacate the residence at: _____ on or before: _____, 20____, and turn over all keys to the residence to Petitioner.
- The Metropolitan Police Department shall stand by to: prevent violence while the Respondent vacates the residence; retrieve Petitioner's keys from Respondent; assist with service of process upon the Respondent and complete the return of service forms.

Other: The Respondent shall NOT send any e-mails to the petitioner, workers at 42-West, Margaret Mullens members of the media regarding the petition, Petitioner's clients, former relations
FAILURE TO COMPLY WITH THIS ORDER IS A CRIMINAL OFFENSE AND CARRIES A PENALTY OF UP TO 180 DAYS IN JAIL AND/OR A FINE OF \$1000. IF A RESPONDENT SERVED WITH THIS ORDER FAILS TO APPEAR AT THE HEARING ON THE CIVIL PROTECTION ORDER AND A DEFAULT CIVIL PROTECTION ORDER IS ENTERED, THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE CIVIL PROTECTION ORDER IS SERVED. IF THE COURT IS CLOSED ON THE DAY THAT THIS ORDER IS TO EXPIRE, THIS ORDER SHALL CONTINUE IN EFFECT UNTIL THE NEXT REGULAR COURT BUSINESS DAY.

Date 4/14/08

Agnes Aileen Houry
Judge/Magistrate Judge

THIS ORDER IS HEREBY EXTENDED FROM (today's date): _____, 20____, TO _____, 20____.

Date Judge/Magistrate Judge

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
DOMESTIC VIOLENCE UNIT (202) 879-0157

Kelly Mullens, Petitioner

v.

Andres Martinez, Respondent

No. 08 CPO 1143

PETITION AND AFFIDAVIT FOR CIVIL PROTECTION ORDER

Pursuant to D.C. Code § 16- 1001 et seq.; Petitioner respectfully requests that the court issue a 12-month Civil Protection Order against Respondent. In support of this request, petitioner states:

1. Respondent is related to Petitioner By: blood; legal custody; marriage; having a child in common;
 now or previously having shared the same residence; romantic/dating relationship.
 If related by "romantic/dating relationship": Do you reside in the District of Columbia? yes no
 Did any incident described below occur in D.C.? yes no

2. Respondent committed or threatened to commit an act punishable as a criminal offense against Petitioner within the meaning of D.C.Code§16-1001, et seq., by: *(Please describe any such acts including physical assaults like hitting, punching, shoving or kicking; threats to do harm; or destruction of property).*

A. On or about _____, 20____, at approximately _____ a.m./p.m.,
at (location): See attached ~~Supplemental~~ Affidavit
Respondent to Petition and Affidavit for TPO and CPO

B. On or about _____, 20____, at approximately _____ a.m./p.m.,
at (location): _____
Respondent _____

C. On or about _____, 20____, at approximately _____ a.m./p.m.,
at (location): _____
Respondent _____

D. On or about _____, 20____, at approximately _____ a.m./p.m.,
at (location): _____
Respondent _____

7. The Respondent recently acknowledged to the Petitioner that he likes to go to an Internet Café named Tryst near his house, where he writes e-mails, and a search of Mapquest reveals that there is in fact an internet café named Tryst located at 2459 18th Street, N.W., Washington, D.C., within .25 miles of the defendant's residence at 2301 Champlain Street, N.W., Washington, D.C. See Petitioner's Exhibit # 4.

8 The Petitioner and Respondent had a prior romantic/dating relationship which began in approximately September 2005 in Los Angeles, California and ended in approximately July 2007, briefly reconciling and ending in December 2007.

9. Since their romantic relationship ended, the Respondent has sent constant harassing, intimidating, obsessive, crude and vulgar e-mails or text messages from his cell phone or personal and work e-mail accounts in the District of Columbia to the Petitioner in California.

10. In approximately the past month, the Respondent's communications to the Petitioner have become more extreme, violent and suicidal. The Respondent has made numerous references in communications to the Petitioner in the past month concerning his imminent suicide, disappearance and/or an event in which he and/or others will die, with a number of communications suggesting this will occur on or about April 16, 2008. The Respondent, who has told the Petitioner that "it is all about the logistics," fears that the Petitioner may be planning his own suicide, a suicide-murder involving her and/or his own wife and/or son or some other violent event.

11. On or about April 7, 2008, the Respondent sent an e-mail defaming the Petitioner to the press and falsely insinuating that she engaged in unethical behavior, affairs with colleagues and clients, and otherwise attacking her moral character. See Petitioner's Exhibit # 5.

12. As a result of this e-mail, the Petitioner was forced to send an e-mail to a number of her clients, and some media outlets, explaining that she was being harassed and that the e-mail was a result of the harassment. The Respondent's behavior has been extremely upsetting and distressful to the Petitioner, given the threat to her personal well-being and professional reputation. See Petitioner's Exhibit # 6.

13. As a result of Respondent's harassment and intimidation, the Petitioner has been forced to change her cell phone number and work e-mail address.

14. On or about April 10, 2008, the Respondent sent three e-mails to the Petitioner's mother revealing painful personal circumstances about the Petitioner and misconstruing matters he learned during their relationship.

15. For some time now, the Respondent has been committing or threatening to commit acts punishable as criminal offenses in the District of Columbia against the Petitioner within the meaning of D.C. Code Section 16-1001 for some time, including Stalking the Petitioner in violation of D.C. Code Section 22-504(b)(Stalking).

16. The specific acts forming the basis for the conclusion in paragraph 15, and for this Petition, and the facts providing the context for this harassment, include, but are not limited to, the following:

- (1) On or about August 28, 2007, the Respondent wrote the Petitioner an e-mail from his "New America" account acknowledging that the Petitioner and Respondent were ending their relationship and that Petitioner had blocked his e-mail to prevent him from further communicating with her. See Petitioner Exhibit # 7.
- (2) On or about August 29, 2007, from the same web address, the Respondent wrote a long e-mail to the Petitioner in which he described himself as "consumed with grief" about the end of his relationship with the Petitioner and stated that it had " rendered me am a total psycho. " See Petitioner's Exhibit # 8.
- (3) On or about August 30, 2007, the Petitioner sought help from a friend of the Respondent in getting the Respondent to stop harassing her.
- (4) On or about September 4, 2007, the Respondent wrote Petitioner an e-mail in which he acknowledged that he had engaged in "a horrible lashing out at you when you wrote me off... horrible." See Petitioner's Exhibit # 9.
- (5) On or about September 6, 2007, the Respondent wrote an e-mail to the Petitioner and his friend acknowledging that his messages to the Petitioner were abusive and harassing to her, stating " I said I felt bad that she considered my recent notes of regret about our failure to reconnect (even though they didn't even ask for us to try anymore) to be abusive or threatening. " See Petitioner's Exhibit # 10.
- (6) In the same e-mail, the Respondent again suggested that he would stop communicating with and harassing Petitioner, stating "I should stop communicating lest she misconstrues things and suggests to people that I am somehow a psychotic threat to her." But, as the Petitioner attests in this affidavit, the harassing and intimidating communications from the Respondent did not stop, but rather, continued in abundance.
- (7) In the same e-mail, the Respondent acknowledged that, in or about September 2007, he showed up at the Petitioner's residence, angrily yelled at her from outside her residence gate and the proceeded to dump at the gate all of the presents which the Petitioner had previously given to the

Respondent. Discussing this, the Respondent wrote " I was harsh in returning all her past gifts to me to her doorstep when she insisted in the end that she needed to "heal" from me. It was my way of saying that her past avowed feelings for me are not compatible with her current decisions and behavior. It was an emphatic, brutal "fuck you" goodbye, and I realize there is no going back from there. I did feel bad I was so harsh, hence my follow up notes, but as I said, none of those notes suggested there was a going back or were pleading to see her."

- (8) On or about January 31, 2008, at approximately 2:50 p.m., the Respondent wrote the Petitioner another e-mail in which he falsely promised to stop communicating with her and harassing her. The Respondent wrote that " sorry ...to keep pestering you. i do need to disengage as you can tell ... sorry i can't be a better friend. have a good weekend"
See Petitioner's Exhibit # 11.
- (9) On or about February 1, 2008, at approximately 4:26 p.m., the Respondent again wrote an e-mail to the Petitioner, reiterating his continuing obsession with her when he wrote "and i think i was deluding myself (and you) yesterday with all my talk about staying in touch and being pals no matter what. i can't do that, i do need to vanish completely, and somehow get over you. i can't remain on the periphery of your life, in some purgatory, because i don't deserve you." See Petitioner's Exhibit # 12.
- (10) On or about February 5, 2008, at approximately 7:45 p.m., the Respondent wrote Petitioner yet another e-mail. This one was entitled "pls, pls read, Kel, just this last note ..." In the e-mail, the Respondent again acknowledged his obsession with the Petitioner and continued mistreatment and harassment of her when he wrote "Well. predictably, I feel horrible that I lashed out at you, and I know we have seen this movie before when I have sensed I was losing you..." " See Petitioner's Exhibit # 13.
- (11) In the same e-mail, the Respondent again falsely swore to stop harassing the Petitioner, writing " I swear to God this is the last time I will initiate contact with you." However, he further wrote "I am kinda dazed and confused that we aren't together, it defies comprehension at this point, but from your point it is understandable, and I can't coerce you back or convince you I am still the guy you fell in love with if we don't spend time together." In this same e-mail, the Respondent described his conduct towards the Petitioner as "my grotesque lashing out."
- (12) The Respondent indicated the depth of his mental state in this e-mail when he wrote "It was up to me to act upon the knowledge that this would kill me..." Likewise, he further wrote that "So I am, once again, sorry I disrespected you and accused you of being evil incarnate. I think you know in the end that it was all absurd, coming from a shattered man who

has been crushed for a long time over our failure to find our way back to what we were meant to be." (emphasis added).

- (13) On February 19, 2008, approximately two weeks later, the Respondent again indicated his obsession with the Petitioner and made a reference to the fact that the end of his relationship with the Petitioner was "killing" him when he wrote "I do think I get you in a special way, and that if you could rely on me in a serious relationship you would be inspired and more relaxed than ever before. it kills me that i have made that so hard for you to appreciate..." See Petitioner's Exhibit # 14.
- (14) The Respondent likewise acknowledged his continuing failure to stop communicating with and harassing the Petitioner, writing that "I know I shouldn't be writing you still... that you have moved on, and don't trust me, and can't forgive me, that I have forfeited the right to be in your orbit -- and that the false hope and security and peace i got from being in touch with you early in jan was not sustainable under circumstances -- and that you have sorta heard all this before!"
- (15) On March 26, 2008, the Respondent wrote a suicidal note to the Petitioner at approximately 9:05 p.m., stating "Don't worry – I will die soon." See Petitioner's Exhibit # 15 (emphasis added).
- (16) Also on March 26, 2008, the Respondent wrote a second note to the Petitioner threatening suicide when he "Don't worry – I will die ... In april, I am afraid ... But u will be pleased :)" See Petitioner's Exhibit # 16 (emphasis added).
- (17) On or about March 27, 2008, the Petitioner again wrote to the Respondent's friend trying to get him to help her in getting the Respondent to stop his constant, harassing e-mails and text messages to her. In this e-mail, the Petitioner wrote that she not talked with the Respondent in several months, but that "Since then, I have received countless emails and text messages EVERY SINGLE DAY. I have not responded. My friends and family believe that the best course is for me to not respond - although at this point there are some in my life who believe that I should move forward to take more formal steps to ensure that he no longer has any contact with me, although I really, really don't want to do that." See Petitioner's Exhibit # 17.
- (18) The very next day, on or about March 28, 2008, the Petitioner started receiving e-mails from an individual named "Hugh Frederick." See Petitioner's Exhibit # 18.
- (19) In an e-mail dated April 7, 2008, the Respondent acknowledged having made up the name "Hugh Frederick" indicating that the

communications to the Petitioner from "Hugh Frederick" were in fact from the Respondent. " See Petitioner's Exhibit # 19.

- (20) In an e-mail dated March 28, 2008, this fictitious "Hugh Frederick," who was in fact the Respondent, told to the Petitioner that the Respondent was some sort of spy and had left money for her in a safe deposit box overseas worth approximately \$40 million. This "Hugh Frederick" also made reference to the fact that the Respondent's son would be financially taken care of separately. See Petitioner's Exhibit # 20.
- (21) In e-mails from "Hugh Frederick," the Petitioner was told that she would no longer hear from the Respondent after April 17, 2008. See Petitioner's Exhibit # 21.
- (22) On or about March 28, 2008, at approximately 4:20 p.m., the Petitioner received an e-mail from "Hugh Frederick" stating that the Respondent was going to die in a few weeks. This fictitious "Mr. Frederick," believe to be the Respondent, wrote: "But in a few weeks – once he is dead and buried, perhaps – write me back with a phone number and time where and when I can call you." See Petitioner's Exhibit # 22 (emphasis added).
- (23) On or about March 28, 2008, at approximately 4:37 p.m., the Petitioner wrote a reply e-mail to "Hugh Frederick" telling him "Please do not ever contact me again." See Petitioner's Exhibit # 23.
- (24) In another e-mail from "Hugh Frederick" around the same timeframe, Mr. Frederick made reference to the Respondent giving the Petitioner money posthumously. See Petitioner's Exhibit # 24.
- (25) On or about April 2, 2008, the Petitioner contacted the Respondent's ex-wife by e-mail because of her tremendous concern about the Respondent's behavior and the harassing impact it was having on the Petitioner. The Petitioner told Respondent's ex-wife that she received a "bizarre e-mail" from the Respondent and that it had "raised her level of concern" about the Respondent's behavior. See Petitioner's Exhibit # 25.
- (26) On or about April 2, 2007, the Respondent's ex-wife wrote back to the Petitioner by e-mail. In the e-mail, the Respondent's ex-wife stated that the Petitioner did seem "a little emotionally unstable right now, but had no idea of the magnitude. He certainly seems to have reached a level of delusion that is beyond the plot of even the thriller he fantasized about publishing. And his obsession with you -- which he had a very mini/minor version of with me in 1989-90 when he thought I was the living end - is shocking to put it mildly." The Respondent's ex-wife also note that "And

obviously I'm concerned that he sounds suicidal." See Petitioner's Exhibit # 26 (emphasis added).

- (27) In the same e-mail, the Respondent's ex-wife wrote that the Petitioner "told me on Jan 10, 2007 that he 'just wasn't so into shrinks and all that stuff' anymore and seemed generally unglued and still unable to make a decision about what he wanted -- and I believe he was clinically depressed throughout 2005-06 -- I knew that i had no choice but to just file for divorce and cease allowing him to treat his wife like garbage, even though it was the one outcome I didn't want, for myself or my son." (emphasis added).
- (28) On or about April 6, 2008, the Respondent sent the Petitioner an e-mail which appeared to reference his pending suicide, writing that "Then in ten days you get another ego boost!" See Petitioner's Exhibit # 27 (emphasis added).
- (29) On or about April 6, 2008, the Respondent wrote the Petitioner yet another crude, harassing e-mail in which he accused her of having an affair and appeared to reference his own suicide again, writing "So who gets the celebratory "I finally killed off martinez" fuck in nine days? [Redacted – Reference to professional acquaintance and client of Petitioner] I vote for an encore from the guy from last summer... It is his fault, or your desire to fuck him so badly that u were lying to me, that got us into this nightmare. Better yet, throw in [redacted – reference to Petitioner's friend] to the mix too." See Petitioner's Exhibit # 28 (emphasis added).
- (30) On or about April 6, 2008, the Respondent again made reference to his what the Petitioner believes to be the Respondent's pending suicide or coming violent event in an e-mail when he wrote to the Petitioner that "Hppe u had a fab weekend...And that party plans are proceeding. Ten days!" See Petitioner's Exhibit # 29 (emphasis added).
- (31) On or about April 6, 2008, the Respondent sent the Petitioner yet another text message in which he harassed her with crude comments and references to her personal life and the press. In this communication, the Respondent claimed to have received a call from the NY Post about her. The Respondent made crude references to the Petitioner's personal life, writing that "Also wanted to let u know I got a weird call from ny post about your relationship with a [redacted – reference to client] and another client. Just what I needed to cheer me up." See Petitioner's Exhibit # 30.
- (32) On or about April 6, 2008, the Respondent sent the Petitioner yet another crude and harassing communication when he wrote ""The post [reference to the NY Post] first called me yesterday but I didn't want to "interfere" - ur word - with your hot sat night sex." See Petitioner's Exhibit # 31.

- (33) On or about April 6, 2008, the Respondent wrote the Petitioner a text message in which he said "DC in April is nice – I do miss u." See Petitioner's Exhibit # 32.
- (34) On or about April 7, 2008, the Respondent sent an e-mail to a number of members of the Press and the partners in the Petitioner's firm attacking her career, her personal life and character, and posing a threat to her personal and professional reputation. The Petitioner became aware of the e-mail when it was forwarded to her business partner. See Petitioner's Exhibit # 5.
- (35) On or about April 7, 2008, at approximately 4:10 p.m., the Respondent sent the Petitioner a harassing and vulgar e-mail which said "you know ... with your mom being such a whore, and your dad being such a fraud, it's little wonder you turned out to be such a cunt." See Petitioner's Exhibit # 33 (emphasis added)
- (36) On or about April 7, 2008, at approximately 4:10 p.m., the Respondent sent the Petitioner another harassing and vulgar e-mail in which he said "fuck you, you cruel whore..." In this e-mail, the Respondent references an alleged e-mail address for the Petitioner which is she did not register for nor does she have any knowledge of such an e-mail address. See Petitioner's Exhibit # 34 (emphasis added).
- (37) On or about April 7, 2008, at about 9:39 p.m., under the fictitious name "Hugh Frederick," the Respondent again wrote the Petitioner an e-mail in which he suggested that the Petitioner's attempts to reach out to his ex-wife and friends to get him to stop harassing her and out of concern for his mental state were "backfiring." He described the Respondent's state of mind as "despair" and warned that "Which is why your well-intentioned actions can backfire: they might make him feel he is running out of space and may hasten things." He likewise warned the Petitioner, saying "please don't make him feel anymore cornered than he already is, and forced to pull the trigger." See Petitioner's Exhibit # 35 (emphasis added).
- (38) On or about April 7, 2008, the Respondent sent the Petitioner an e-mail acknowledging that he was in fact the person named "Hugh Frederick" who was sending her e-mails when he wrote to her that "hugh frederick ... is obviously a figment of my imagination, you were right!!!!" Confirming this, he made reference to the content of one of the e-mails in which the fictitious "Hugh Frederick" told the Petitioner that there was a stash of money for her in Europe when the Respondent wrote in the e-mail "too bad it's fiction, though... would be nice to have a stash in switzerland." See Petitioner's Exhibit # 36 (emphasis added).

- (39) On or about April 7, 2008, at approximately 9:17 a.m., the Respondent wrote the Petitioner an e-mail in which he again indicated his obsession for her and referenced suicide, writing that "you know how much i love you, and how crushed i was that you already Sent me a note like this only to then bail on us for someone else after snooping at my email (and reading about someone i was only in touch with since you weren't talking to me) and bonding for a whole month...of course i would get on a plane the second you ask... i want to marry you or die... but i take it this isn't you..." See Petitioner's Exhibit # 37 (emphasis added).
- (40) On or about April 9, 2008, the Respondent sent the Petitioner a text message in which he wrote " When you take your boyfriend in your arms as you go to bed, the two of you can exult in your mutual triumph. Peace... I will leave you alone and you can go on with your fab life, free of this unworthy creep. Love always, Me." See Petitioner's Exhibit # 38.
- (41) On or about April 9, 2008, the Respondent sent the Petitioner a text message in which he wrote "Congrats, kel. You win; you've killed me. Not sure any point in waiting another week. I was always fascinated as a kid by the theological notion that one couldn't survive an encounter with God - that the Lord was so wondrous you couldn't go on with your humdrum life if you witnessed his presence. Not sure if this was in bible itself, or if was clever pr spin to explain why he would always communicate with folks ..." See Petitioner's Exhibit # 39 (emphasis added).
- (42) On or about April 10, 2008, the Respondent wrote an e-mail to the Petitioner's mother in which he revealed extremely painful personal matters involving the Petitioner to her mother, and again made reference to his pending suicide, stating "And lest you think this is all gratuitous, I don't mind it if after i am gone Kel carries on with her hollywood lifestyle, but as a caring mother, you need to talk her into changing jobs before it is too late." See Petitioner's Exhibit # 40.
- (43) On or about April 10, 2008, the Respondent wrote a second vile, harassing and tremendously damaging e-mail to the Petitioner's mother in which he wrote "your daughter is the reason i lost my family, my job and ultimately my sanity..." See Petitioner's Exhibit # 41.
- (44) On or about April 11, 2008, the Respondent sent a text message to the Petitioner in which he referenced a nightmare he had in which the Petitioner killed his son. The Respondent wrote "I had this weird nightmare that you asphyxiated [redacted- name of Respondent's son in original to death with the help of two giggling girls. The part about you wanting to hurt [redacted – name of defendant's son's nickname in original] is clear enough, and self-evident... But I dunno the significance of the two giggling girls. Anyways, leave my family alone and focus on

your life and shit, bearing in mind that indictments could come down soon. Peace and goodbye, A. You won't ever hear from me again." See Petitioner's Exhibit # 42 (emphasis added).

- (45) On or about April 11, 2008, the Respondent sent another text message to the Petitioner in which he harassed her further by writing "No more weekends having to wonder who you've decided to fuck instead of me." See Petitioner's Exhibit # 43 (emphasis added).
- (46) Due to this constant barrage of harassing, intimidating and obsessive communications to her, and his references to a potential suicide or other catastrophic act in or about mid-April 2008, the Petitioner has been afraid to stay at her own residence, is suffering severe emotional trauma and has had difficulty completely focusing on her personal or professional life.

Based on these facts, and for the reasons set forth in the Petition and Affidavit for Civil Protection Order and this Supplemental Affidavit, the Petitioner asks the Court to grant a Temporary Protection Order forthwith ordering the Respondent not to communicate with her in any way and to stay away from her work and residence and asks that the Court grant a full one year Civil Protection Order against the Respondent.

DISTRICT OF COLUMBIA, ss: _____, being duly sworn, states that she is Petitioner named in this case; that she has read and understands this Supplemental Affidavit; and that the facts stated herein are true to the best of her knowledge.

Petitioner

Deputy Clerk/Corp.Counsel/Notary Public

Dated: April 14, 2008

ON THE BASIS OF THESE ALLEGATIONS, PETITIONER REQUESTS AN ORDER INCLUDING THE FOLLOWING RELIEF: (Check each form of relief you wish to be awarded by the court)

- 1. Ordering Respondent not to abuse, threaten, or harass me and/or my children and/or not to physically discipline my children.
- 2. Ordering Respondent not to abuse, threaten, or harass other persons
(names): Margaret Mullens (mother)
- 3. Ordering Respondent to stay away from: my person; my work; my home;
 my children's school/daycare; other persons (names): _____;
 other places I frequent (describe): _____
- 4. Ordering Respondent not to contact me:
 by telephone; in writing; in any other manner, directly or indirectly through a third party
- 5. Awarding me temporary custody of the minor children, named below.
(state name and date of birth of each child AND bring birth certificates to court hearing)

IF YOU ARE SEEKING CUSTODY, PLEASE COMPLETE QUESTIONS 5a - 5e:

5a. The children's current address is (You do not need to reveal this information if doing so will put you in danger):

5b. Over the past five years the children have lived at the following other addresses (if any):

5c. Names and addresses of the people the children have lived with during the past five years:

5d. Have you participated in or do you know of any other court cases concerning custody of these children?
 yes no If your answer is "yes" please indicate where the other case(s) was/were filed:

5e. Do you know of any other person other than yourself and Respondent who claims to have custody of the children? yes no

6. Awarding Respondent visitation with the child(ren) if Respondent shows that the child(ren) and I can be adequately protected from harm by the Respondent.

7. Ordering Respondent to pay child support for the above minor children, in an amount in accordance with the D.C. Child Support Guideline, through the Court Registry.

To the best of my knowledge, Respondent's annual gross income equals or exceeds \$ _____

(Bring any proof of your own AND Respondent's income to court hearing, including 2 recent pay stubs, tax returns for the past two years or a completed financial statement. Also bring proof of any other child support orders that affect you or Respondent).

IF YOU ARE SEEKING CHILD SUPPORT, PLEASE COMPLETE QUESTIONS 7a - 7d:

7a. Has a paternity and/or child support case already been filed regarding any of the above-listed children?
 yes no If "yes," please indicate where the case was filed, the case number, and the outcome, if any: _____

7b. Are you or your children currently receiving public assistance? yes no

7c. Is Respondent currently employed? Yes No Don't Know

7d. Do any of the children have special costs? (e.g., tuition, daycare, medical insurance, cost of medically necessary services) (specify): _____

8. Ordering respondent to vacate my home, which:
 I rent/own by myself; we rent/own together; I rent/own with someone other than Respondent
 (Bring lease/deed to court hearing)

9. Ordering Respondent to provide me with financial assistance and/or spousal support to pay my rent/mortgage/ bills or other expenses.

10. Awarding possession and use of the following jointly owned property to petitioner:

11. Ordering Respondent not to remove me and/or my children from his/her health insurance policy.

12. Ordering Respondent to reimburse me for medical costs, property damage, or other expenses I have incurred due to Respondent's actions (Bring medical bills, receipts, invoices, or estimates to court hearing).
Damaged property includes (describe): _____

13. Ordering Respondent to enroll in and complete an appropriate counseling program for:

alcohol abuse; drug abuse; domestic violence; parenting;

Other (describe): Mental Health

14. Ordering the police to: stand by while Respondent vacates my home; make sure Respondent turns over my keys; accompany me and stand by while I recover my belongings from Respondent; assist me with service of process upon the Respondent.

15. Ordering Respondent to reimburse me for my attorney's fees and costs.

16. Other (describe): _____

17. The Respondent's actions place the safety or welfare of myself and/or a family member in immediate danger and I request that the court grant me an emergency Temporary Protection Order today.

Petitioner further requests any other relief that is appropriate to the effective resolution of this matter, pursuant to D.C. Code Ann. § 16-1005(c) (10). Petitioner requests that a hearing be set on this matter and that a Notice of Hearing and Order to Appear be issued to Respondent.

Respondent's address: Residence Business 2301 Champlain Street, N.W.
#208, Washington, D.C. 20009

DISTRICT OF COLUMBIA, ss: Jelly Mullens, being duly sworn, states that s/he is Petitioner named in this case; that s/he has read and understands the Petition and Affidavit; and that the facts stated herein are true to the best of her/his knowledge.

X Jelly Mullens
Petitioner
[Signature]
Deputy Clerk/ Corp. Counsel/ Notary Public 4-14-08

THE CIVIL PROTECTION ORDER HEARING

You **must** come to D.C. Superior Court for the Civil Protection Order Hearing once you have been served with the Petition and the Notice of Hearing and Order to Appear. If you don't come to the hearing, the Court may:

▶ **Grant** the Civil Protection Order.

AND

▶ Issue a **warrant** for your **arrest**.



You must follow these steps on the day of the hearing:

Step 1: Bring any information the judge will need to understand what happened.



Step 2: Come to D.C. Superior Court, 500 Indiana Ave., NW, First Floor, at 8:30 a.m. Check the Notice of Hearing and Order to Appear for the Courtroom number.

Step 3: Check-in at the desk outside the Courtroom.

Step 4: Meet with an attorney-negotiator who works for the Court when your name is called. The attorney-negotiator will meet with you alone and discuss the petition and what the person who filed the petition has asked the Court to order. The attorney-negotiator also meets alone with the person who filed the petition.

After talking with the attorney-negotiator, you can:

▶ **Consent** to the Civil Protection Order and the conditions that may be negotiated as the attorney-negotiator meets separately with you and the person seeking protection.

Or

▶ **Request a hearing:** If you request a hearing, the hearing will be held that day. You do not have the right to a court-appointed attorney. You can hire an attorney. At the Civil Protection Order hearing, you will be asked to tell what happened.