

Workplace Violence Restraining Order (WVRO) Step 2 Packet

Sacramento Superior Court Civil Self-Help Services

Forms to serve on the person you want protection from AFTER you file your initial request for protection.

The following BLANK forms must be served on the person you want protection from, and they are included in this packet. You do not need to keep a copy of these forms.

WV-120-INFO — How Can I Respond to a Workplace Violence Restraining Order

WV-120 — Response to Request for Workplace Violence Restraining Order

WV-800-INFO — How Do I Turn In, Sell, or Store My Firearms and Firearm Parts?

WV-800 — Receipt for Firearms and Firearm Parts

WV-250 — Proof of Service of Response by Mail

The forms you already filed with the court must also be served on the person you want protection from. If you are picking this packet up from the court, they will be attached at the end.

WV-100 — Request for Workplace Violence Restraining Order

WV-109 — Notice of Court Hearing

WV-110 — Temporary Restraining Order

ORDERS CANNOT BE ENFORCED UNTIL SERVED.

You must serve a copy of everything you filed with the court (including attachments) on the person you want protection from.

SERVICE ON THE RESPONDENT

You are responsible for having the respondent (the person you want protection from) personally served with a copy of everything listed on the front page **at least 5 court days before the hearing** (unless the Court orders a shorter time). Any adult who is not protected by the order can personally hand the copies to the respondent. Service **cannot** be completed by certified mail.

Sacramento Sheriff's Civil Bureau: If the respondent lives in Sacramento County, you may have the Sacramento Sheriff's Civil Bureau serve them. You will need to have at least one (1) address where you think the respondent might be between the hours of 9:00 AM and 3:00 PM. The Sacramento Sheriff's Civil Bureau will not look up addresses for you.

The Sacramento Sheriff's Civil Bureau charges \$50.00 to serve. The Court may order it waived on **WV-110**.

Online: You can submit requests for service to the Sheriff's Civil Bureau online. Find more information about this process at the e-SERVICES PORTAL: civil.sacsheriff.com/Portal/.

In Person: Public counter hours are Monday through Friday, 9:00 AM to 3:00 PM, excluding holidays. A drop box is available 8:00 AM to 5:00 PM in front of the Civil Bureau Office.

Sacramento Sheriff's Civil Bureau 2969 Prospect Park Drive, Suite 200 Rancho Cordova, CA 95670

Kiosk: You may submit requests to serve to the Sheriff's Civil Bureau by using the kiosk in the lobby of the Civil Bureau office. The kiosk is available during public counter hours.

You must get your forms to the Sheriff's Civil Bureau a **minimum of 15 days prior to the last day for service**.

If you have questions about the above information, please contact the Sacramento Sheriff's Civil Bureau office:

R

(916) 875-2665

sacsheriff.com/pages/civil bureau.php

SERVICE ON THE RESPONDENT (cont.)

Friend or Family Member: Anyone over the age of 18, and not protected by the order can serve the forms for you. After this person serves the forms, they need to complete and sign a Proof of Personal Service (WV-200) not included with this packet.

Process Server: If you cannot locate the person for service, you can hire a process server to find them and serve them. These fees cannot be waived by the Court.

FILING PROOF OF SERVICE: If you have the Sheriff's Civil Bureau serve the respondent, they will send proof of service to the court, and a copy to you.

If you had a friend or family member serve the respondent, they will need to fill out and sign **WV-200**. Make sure you or the person who did the service check the boxes next to each of the forms that were served.

Take an original plus one (1) copy (2 total) to the Civil Harassment Filing Window **BEFORE YOUR HEARING** at the location below.

IF YOU CANNOT TURN IN PROOF OF SERVICE BEFORE YOUR HEARING, BRING IT TO COURT WITH YOU.

IN PERSON

Civil Filing Counter 720 9th Street, Rm. 102, Window 10 Sacramento, CA 95814

> Monday – Friday 8:30 am – 4:00 pm

BY MAIL

Sacramento Superior Court 720 9th Street, Rm. 102, Sacramento, CA 95814

If you have questions, contact Civil Self-Help Services. civilselfhelp@saccourt.ca.gov 2916-874-1421

MON	TUE	WED	THU	FRI
8:30 AM-	8:30 AM-	8:30 AM-	8:30 AM-	8:30 AM-
Noon	Noon	Noon	Noon	Noon
1:30 PM-	1:30 PM-	1:30 PM-	CLOSED PM	1:30 PM-
4:00 PM	4:00 PM	4:00 PM		4:00 PM

SERVICE CHECKLIST

Take the staples out of this packet, and the attached forms you got back from the court. Remove pages 1-4. These do not need to be served, and are just for your information.

If you are going to have the Sheriff serve, you will need 2 complete sets of forms for service, and you will have to check off both boxes to have enough forms. You will present the Sheriff's Civil Bureau with 2 identical stacks of forms for service. They also require a completed Sheriff's Instructions Sheet.

Some boxes are checked to indicate that the Court has provided you a copy of that form for service in this packet. For example, if you have a friend serving the respondent for you, you only need to make copies of **WV-100**, **WV-109** and **WV-110**, and add them to a stack of the forms that are checked off below.

ck the boxes as you make copies. If you want the Sheriff to e, you will need to check off both boxes for each form.	Friend Serves	Sheriff Serves
WV-100- Request for WVRO		
WV-109– Notice of Court Hearing		
WV-110– Temporary Restraining Order		
WV-120- Response to Request for WVRO	×	
WV-120-INFO – How Can I Respond to a Request for WVRO?	×	
WV-250– Proof of Service of Response by Mail	×	
WV-800-INFO – How Do I Turn In, Sell, or Store My Firearms and Firearm Parts?	×	
WV-800– Receipt for Firearms and Firearm Parts	×	



How Can I Respond to a Petition for Workplace Violence Restraining Orders?

What is a workplace violence restraining order?

It is a court order that prohibits you from doing certain things and going certain places.

What does the order do?

The court can order you to:

- Not contact the employee who is protected by the order
- Stay away from the employee and the employee's home, workplace, and other places
- Not have any firearms (guns), firearm parts, or ammunition as long as the order is in effect. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). For more information about the items you would not be allowed to have, please see https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items.

Who can ask for a workplace violence restraining order?

An employer can ask for an order on behalf of an employee who has suffered violence or a credible threat of violence at the workplace.

I've been served with a petition for private workplace violence restraining orders. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a *Temporary Restraining Order* forbidding you from doing certain things. You must obey the order until the hearing.

What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out form WV-120, Response to Petition for Workplace Violence Restraining Orders, before your hearing date and file it with the court. If you need to include attachments, you can use form MC-025. You can get the forms from legal publishers or from the California Courts website at www.courts.ca.gov/forms. You also may be able to find them at your local courthouse or county law library.

What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine.

Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed form WV-120 to the person named in item 1 of the petition form WV-110 (or that person's lawyer). (This is called "service by mail.")

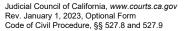
The person who serves the form by mail for you must fill out form WV-250, *Proof of Service of Response by Mail*. Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

Should I go to the court hearing?

Yes. You should go to court on the date listed on form WV-109, *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.

	/
WV-109 Notice of Court Hearing	Clerk stamps date here when form is filed.
1 Petitioner (Employer) a. Name:	
Lawyer for Petitioner (if any for this case): Name: Firm Name:	n:
b. Address (If you have a lawyer, give your lawyer's inform	nation.):
	Fill in court name and street address:
Address: City:	
(2) Employee in Need of Protection	
	Fill in case number:
Full Name:	Case Number:
The court will complete the re A court hearing setheduled on the request for rest	
Na	me and address of court if different from above:
Hearing Date: Time:	
Date	
Dept.: Room:	
(5) Temporary Restraining Orders (Any orders granted or	
 Temporary Restraining Orders for personal conduct and a Request for Workplace Violence Restraining Orders, are All GRANTED until the court hearing. 	
(2) All DENIED until the court hearing. (Specify re	easons for denial in b, below.)
(3) Partly GRANTED and partly DENIED until the b, below.)	c court hearing. (Specify reasons for denial in

Notice of Court Hearing







How Can I Respond to a Petition for Workplace Violence Restraining Orders?

How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued at the hearing can last for up to three years.

Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required, and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

Will I see the employee at the court hearing?

Yes. Assume that the employee will attend the hearing. Do not talk to him or her unless the judge or that person's attorney says that you can.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form MC-030 for this.

Information about the process is also available online.

See https://selfhelp.courts.ca.gov/WV-restraining-order.

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use form <u>INT-300</u>, *Request for Interpreter (Civil)*, or a local court form or website to request an interpreter. For more information about court interpreters, go to https://selfhelp.courts.ca.gov/request-interpreter.

What if I have a gun?

If a restraining order is issued, you cannot own, possess, or have a firearm (gun), firearm parts, or ammunition while the order is in effect. If you have a firearm (gun) or firearm parts in your immediate possession or control, you must sell it to or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the employer would have to file a request with the court to cancel the order.

What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use form MC-410, *Disability Accommodation Request*, to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form MC-410-INFO, *How to Request a Disability Accommodation for Court*.

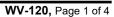
WV-120

Response to Petition for Workplace Violence Restraining Orders

Use this form to respond to the Petition (form WV-100)

- Read *How Can I Respond to a Petition for Workplace Violence Restraining Orders?* (form WV-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.

•	Have someone age 18 or older— not you —serve the petitioner's lawyer by mail with a copy of this form	
	pages. (Use form WV-250, Proof of Service of Resp	
1	Petitioner (Employer) Name:	Sacramento
2	Employee Seeking Protection	720 9th Street Sacramento, CA 95814
	Full Name:	
3	Respondent (Person From Whom Protects) a. Your Name:	ction Is Sought)
	Your Lawyer (if you have one for this case) Name: Firm Name:	ate Bar No.:
4	b. Your Address (You may give a mailing address to keep your street address private; skip this if y lawyer.) Address: City: Telephone: Email Address: Personal Conduct Orders	The court will consider your response at the hearing. Write your hearing date, time, and place from form WV-109, item (4) here:
	a. I agree to the orders requested.b. I do not agree to the orders requested.	orders against you that last for up to three years.
	(Specify why you disagree in item (1) on pag c. ☐ I agree to the following orders (specify below	
5	 □ Stay-Away Orders a. □ I agree to the orders requested. b. □ I do not agree to the orders requested. (Specifical Agree) c. □ I agree to the following orders (specify below) 	
	b. I do not agree to the orders requested. (Special Special	



Clerk stamps date here when form is filed.



6	 a.	A	dditional Protected Persons I agree that the persons listed in item (4) of the Petition may be protected by the order requested.
	ь. b.		I do not agree that the persons listed in item (4) of the Petition may be protected by the order requested.
		Ш	
7)	If y (gu use W') fire with	you ins), ed a V-11 earr ch fo	rms (Guns), Firearm Parts, and Ammunition were served with form WV-110, Temporary Restraining Order, you cannot own or possess any firearm, firearm parts, or ammunition. This includes firearm receivers and frames, and any item that may be sor easily turned into a receiver or frame (see Penal Code section 16531). (See item 8 of form 10.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any ms (guns) and firearm parts in your immediate possession or control within 24 hours of being served form WV-110. You must file a receipt with the court. You may use Receipt for Firearms and Firearm form WV-800) for the receipt.
	a.	•	I do not own or control any firearms (guns), firearm parts, or ammunition.
	b.		I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (Explain):
			☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 7b—Firearms Surrender Exemption" as a title. You may use form MC-025, Attachment.
	c.		I have turned in my firearms (guns) and firearm parts to the police or sold them to or stored them with a licensed gun dealer. A copy of the receipt is attached. has already been filed with the court.
8		Ot	her Orders
	a.		I agree to the orders requested.
	b.		I do not agree to the orders requested. (Specify why you disagree in item (1) on page 3.)
	c.		I agree to the following orders (specify below or in item (1) on page 3):
9			enial
_		I di	id not do anything described in item 8 of form SV-100. (Skip to 1).)



_		
0		Justification or Excuse
<i>ک</i>		did some or all of the things that the petitioner has accused me of, my actions were justified or excused for the lowing reasons (explain):
		Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 10—Justification or Excuse" as a title. You may use form MC-025, Attachment
1)	Ex	Reasons I Do Not Agree to the Orders Requested plain your answers to each order requested that you do not agree with.
		Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Reasons I Disagree" as a title. You may use form MC-025, Attachment.
		Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet
		Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet
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			\$		\$
			e are more items. Put the ite 13—Costs" for a title. You		attached sheet of paper and Attachment.
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Nu	Date	r of pages attached to the control of pages attached to the contro	name (if any)		

How Do I Turn In, Sell, or Store My Firearms and Firearm Parts?

What items do I need to turn in, sell, or store?

You must turn in, sell, or store all of the following prohibited items that you have or control:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). There may also be called "ghost guns."

You also may not have or possess ammunition.

How do I properly turn in, sell, or store the prohibited items?

You must take them to:

• Law enforcement, who will accept all prohibited items and may store them or destroy them;

OR

 A licensed gun dealer, who can buy or store firearms. If you have firearm parts call ahead for more information.

When do I have to turn in, sell, or store the prohibited items?

Immediately, if law enforcement asks you for the items. Otherwise, within 24 hours.

Who can I turn in, sell, or store the prohibited items with?

Only law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

Where can I sell the prohibited items?

At a licensed gun dealer in your area. You can search the internet for "Gun Dealers" or "Firearms Dealers" to find one. Make sure the dealer is licensed.

Do I have to pay a fee to store prohibited items?

You may have to pay a fee. Contact your local law enforcement agency or a licensed gun dealer about fees and whether they have space to store your items.

How do I turn in the prohibited items to law enforcement?

Call your local law enforcement agency to ask about their procedures. Unload your firearms and take a copy of the court order with you.

Do not bring firearms to court.

If I turn in the prohibited items to law enforcement, how long will they keep them?

It depends. There are procedures for getting your firearms back after the restraining order has expired. Ask the law enforcement agency for more information.

After I turn in the prohibited items to law enforcement, can I change my mind?

Yes. You are allowed to sell firearms to a licensed gun dealer. To do so, the gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the items that you are selling.

Do I have to prove that I have turned in, sold, or stored the prohibited items?

Yes. Within 48 hours you must file a receipt with the court showing that you have surrendered the prohibited items to a law enforcement agency or sold them to or stored them with a licensed gun dealer. You may use <u>Receipt for Firearms and Firearm Parts</u> (form WV-800) for this purpose.

Additional Questions?

Contact an attorney for legal advice. Call your local law enforcement agency, for example, your city police or county sheriff for their procedures.

Information about prohibited items and how to obey these orders is also available online.

See <u>https://selfhelp.courts.ca.gov/respond-to-WV-restraining-order/obey-firearms-orders.</u>

For help in your area, contact:

[Local information may be inserted.]

WV-800	Receipt for Firearms and Fire Parts	Clerk stamps date here when form is filed.
Petitioner (E	Employer)	
Name:		
Employee in	n Need of Protection	
Full Name:		
Respondent	t (Person From Whom Protection Is So	ought)
Your Name: _		
Your Lawyer (if you have one for this case):	<u></u>
	State Bar No.:	Fill in court name and street address: Superior Court of California, County of
Firm Name: _		
	If you have a lawyer, give your lawyer's informa	l l
0.0	ave a lawyer and want to keep your home address	
-	ry give a different mailing address instead. You d ephone, fax, or email.):	Sacramento, CA 95814
Address:		
City:	State: Zip:	Court fills in case number when form is filed.
· -	Fax:	Case Number:
Email Address:		
	dealer to complete item(5) or (6). For more infor NFO, <i>How Do I Turn In, Sell, or Store My Firear</i>	mation on how to properly turn in your items, reactions and Firearm Parts?
5)	To Law Enforce	ment
(Complete the	section below. Keep a copy and give the original	to the person in ③ .)
Name of Law	Enforcement Agency:	
Name of Law	Enforcement Agent:	
Address:		
Telephone:		Address:
Items Surre	endered	
a. Firearms	and firearm parts transferred on:	
Date:	-	
	ems (List all the items surrendered by the person \mathfrak{T} , or both. Che	in 3. You may attach a separate form from your eck below if you have attached a separate form):
☐ Separ	ate form is attached. (If it does not include all sur	rendered items, list additional items in item $\overline{m{7}}$.)
true and correc		
Signature o	of law enforcement agent:	



Ca	ise Nui	mber:		

	To Licensed G	iun Dealer			
(Complete the section below. Kee	p a copy and give the orig	inal to the person in (3) .)			
Name of Licensed Gun Dealer:					
l icense number:					
A ddragg.					
Telephone:	Emai	il Address:			
Items Stored or Sold					
a. Firearms and firearm parts to	ransferred on:				
Date:		a.m p.m.			
Department of Justice's Rep attached a separate form):				3 2	
attached a separate form):	d. (If it does not include all y under the laws of the Sta	l surrendered items, list addate of California that the info	itional ite	ems in iten	n (7)
attached a separate form): Separate form is attached. I declare under penalty of perjurtrue and correct. Signature of licensed gun declared. List of Items Surrendered.	d. (If it does not include all y under the laws of the Stander:	l surrendered items, list addate of California that the info	itional ite	ems in iten	n (7)
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7 To the Restrained Person:
Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns) or firearm parts?
□ No
☐ Yes (If yes, check one of the boxes below):
a. I filed a <i>Receipt for Firearms and Firearm Parts</i> (form WV-800) or other proof for those items with the court on <i>(date)</i> :
b. I am filing the proof for those firearms (guns) or firearm parts along with this proof.
c. I have not yet filed the proof for the other firearms (guns) or firearm parts. (Explain why not):
Your signature
I declare under penalty of perjury under the laws of the State of California that the information above is true and correct. Date:
Type or print your name Sign your name
Your Next Steps
• After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
Keep a copy for yourself.

Note that failure to file a receipt with the court is a violation of the court's order.

WV-250	Proof of Service of Response by Mail		Clerk stamps date here when form is filed.
Petitioner (Er	•		
	,		
Complexes in	Need of Drotoetien		
) · •	Need of Protection		
	Daraan Eram Wham Brot		
•	Person From Whom Prot	• ,	
Name:			Fill in court name and street address:
Notice to Ser	ver		Superior Court of California, County of
The server must: • Be 18 years of	of age or older	P	Sacramento
	of or employed in the		700 0d 64
	the mailing took place.		720 9th Street
 Not be the res Mail a copy of 	spondent. of all documents		Sacramento, CA 95814
checked in	below to the petitioner or		Fill in case number: Case Number:
the petitioner		B888	Case Number.
to the respond	I sign this form and give it dent.		
	55005	OF SERVICE BY M	A 11
a. Form WV-12	place. I mailed the petitioner or t 0, <i>Response to Petition for Work</i> ecify):	xplace Violence Restrai	ning Order (completed)
I placed copies of	f the documents listed above in a	sealed envelope and m	nailed them as described below:
a. Mailed to (na	me):		
b. To this addre	SS:		
(Citv:	State	e: Zip:
	•		State:
Server's Info			
			Telephone:
•		State	e: Zip:
, , ,	stered process server):		
County of registr	ation:	Registration	on number:
I declare under pocorrect.	enalty of perjury under the laws	of the State of Californ	ia that the information above is true and
Date:			
		<u> </u>	
Type or print ser	ver's name	Server to s	ign here