

Order of Protection

- Temporary Order
- Permanent Order
- Order effective until _____
- Amended Order
- Dissolved _____

Case No: 11960

Court: Muni

State: MT

Tribal:

PETITIONER

Matthew Ellis
 First Middle Last

And/or on behalf of minor family member(s): (list name, date of birth, sex and race):

PETITIONER IDENTIFIERS

11/18/68 W/m
 Date of Birth of Petitioner Race/Sex

Other Protected Person(s): (list name, date of birth, race and sex):

Ellis Family
Missoula Osprey Events Staff

RESPONDENT

Keith Blackwell
 First Middle Last

Respondent's Address: 704 S First W

Federal Firearm Disqualification Criteria: 59801

- Hearing/actual notice with opportunity to participate
- Child or Intimate Partner (married/divorced/common child/cohabitates or has cohabitated)
- Order restrains Respondent from harassing, stalking, or threatening, or other conduct that creates reasonable fear of bodily injury to Petitioner(s)
- Order finds a credible threat or prohibits use, attempted use, or threatened use of physical force

CAUTION:

- Weapon Involved
- Weapon on Property

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
<u>M</u>	<u>W</u>			
EYES	HAIR	SOCIAL SECURITY #		
DRIVERS LICENSE#		STATE	EXP DATE	
VEH. MAKE/MODEL		COLOR	PLATE#	

Distinguishing Features:

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and that the Petitioner is in danger of immediate harm. The Court acts without notice to the Respondent (temporary order) or Respondent has been provided with reasonable notice and opportunity to be heard (permanent order). Additional findings of this order are set forth herein or may be attached hereto.

THE COURT HEREBY ORDERS:

- That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.
- That the above named Respondent shall stay at least 500 feet away from Petitioner's person, home, workplace, vehicle, children's school/daycare, other: _____
- Additional terms of this order are as set forth herein or may be attached hereto

Date Issued: 8/30/10

By: [Signature]
 Judge/Justice

WARNINGS TO RESPONDENT:

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. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)). Only the Court can change this order.

1 Municipal COURT, MISSOULA, MONTANA

2 JUDGE Louden

3 Matthew Ellis,
4 Petitioner,

5 vs.

6 Keith Blackwell,
Respondent.

CAUSE NO. 11960

8 **TEMPORARY ORDER OF PROTECTION AND ORDER SETTING HEARING**

9
10 On Aug 30, 2006, the Court considered the Petitioner's request for a Temporary Order of Protection.

11 **THE COURT FINDS** from the petition that the Petitioner is in danger of harm. Without notice to the Respondent, and under 40-15-201, MCA, issues the following Order immediately:

12 **IT IS THEREFORE ORDERED** that the Respondent is restrained as follows:

13 1. Respondent must not threaten to commit or commit acts of violence against me and these family
14 members: The Ellis Family & Missiona Asprey
15 Events Staff

16 2. Respondent is restrained from assaulting, threatening, abusing, harassing, following, or stalking
17 the Petitioner. Respondent must not harass, annoy, or disturb Petitioner's peace or do any of those things
18 to the following people (may include any family member, including children, witness(es) to the offense or
other victims of the offense): See #1

(If the same people are listed as in #1, write "see #1".)

19 3. Respondent must not contact or attempt to contact, in person, by telephone,
20 in writing, e-mail, nor through a third person, the Petitioner and/or the following people:

21 See #1
(If the same people are listed as in #1 or #2, write "see #1 or #2".)

22 Other/Exceptions:

23
24
25 4. The location of the Petitioners current residence is confidential.

- 1 5. Respondent must stay ~~1500~~¹⁵⁰⁰ feet from the Petitioner's residence at:
 2 Confidential
- 3 6. Respondent must stay 500 feet from the Petitioner and the following
 4 people: See #1
- 5 7. Respondent must stay 500 feet from the Petitioner's place of employment at:
 6 Ogden Park (Ogden Ballpark); and/or
 7 the Petitioner's/Petitioner's children's school at:

8 _____
 9 And the following places frequented by the Petitioner: Ogden Office
 10 412 W. Alder 59802

- 11 8. _____ Respondent must not remove the following child(ren) from Missoula County:
 12 _____
- 13 9. _____ Respondent must not possess or use any firearm.
- 14 10. _____ Respondent must not take, hide, sell, give away, borrow against, damage, or otherwise dispose of
 15 jointly owned property, except as provided below (*must be limited to transfers in the usual course*
 16 *or business or for necessities of life*). Respondent must notify the Petitioner, through the Court,
 17 of any proposed expenditures made after issuance of this Order of Protection.
- 18 _____
- 19 11. _____ Respondent must surrender the following items to the Petitioner: (*Items may include an auto and other*
 20 *essential property, regardless of ownership*):
 21 _____
- 22 12. _____ Respondent is excluded from the residence located at, regardless of ownership:
 23 _____
 24 (*If the Petitioner has fled the parties' residence, the Petitioner's address may be withheld upon*
 25 *the request of the Petitioner, or by order of Court, upon good cause.*)
13. _____ Respondent is granted one civil standby to obtain necessary personal articles, only when
 accompanied by a court order and a peace officer.

1 14. _____ The Court deems that the following additional relief is necessary to provide for the safety and
2 welfare of the Petitioner or other individuals designated in this Petition.
3 _____
4 _____

5 15. _____ There are other civil or criminal actions pending involving the Petitioner and/or the Respondent
6 as follows: (Court and type of case)
7 _____
8 _____

8 **HEARING**

9 A hearing on the Petitioner's request that this Order be made an Order of Protection for up to a year or
10 effective permanently will be held before this court on Tuesday, the 19 day of September
11 2006, at the hour of 9:00'clock A.m., or as soon thereafter as the matter may be heard, in the following
12 courtroom:

12 <i>Municipal Court - City Hall</i>	<i>Justice Court I</i>	<i>Justice Court II</i>	<i>District Court</i>
<i>435 Ryman</i>	<i>200 W. Broadway</i>	<i>200 W. Broadway</i>	<i>200 W. Broadway</i>
<i>Missoula, MT</i>	<i>Missoula, MT</i>	<i>Missoula, MT</i>	<i>Missoula, MT</i>

13 This Temporary Order of Protection shall continue in full force and effect until Tuesday, the 26 day of
14 September, 2006, at the hour of 1:00'clock p.m. unless continued at the hearing.

15 **Petitioner: Report all violations of this Order of Protection to law enforcement by calling 911. If you fail
16 to appear for the Hearing, this Order may be dismissed.**

17 **Respondent: If you fail to appear for the Hearing, the Judge's decisions in this case will be made without
18 your presence. This decision could affect your right to own or possess firearms.**

19 **WARNING**

20 **VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER MONT. CODE ANN. 45-5-
21 220 OR 45-5-626 AND MAY CARRY PENALTIES OF UP TO \$10,000 IN FINES AND UP TO A 5 YEAR
22 JAIL SENTENCE.**

23 **THIS ORDER IS ISSUED BY THE COURT AND THE RESPONDENT IS FORBIDDEN TO DO
24 ANY ACT LISTED IN THE ORDER, EVEN IF INVITED BY THE PETITIONER OR ANOTHER
25 PERSON. THIS ORDER MAY BE AMENDED ONLY BY FURTHER ORDER OF THIS COURT OR
ANOTHER COURT THAT ASSUMES JURISDICTION OVER THIS MATTER. THE PETITIONER
AND RESPONDENT MAY NOT AGREE TO VIOLATE THE TERMS OF THIS ORDER.**

1 The Sheriff is hereby directed to serve, without cost to the Petitioner, a copy of this Temporary Order of
2 Protection, together with a copy of the Petitioner's petition, upon the Respondent and to file a return of service
3 with the Clerk of this Court. Upon receipt of proof of service of this Order, the Clerk is hereby directed to mail or
4 otherwise promptly deliver a copy of this Order, together with a copy of the proof of service, to the following law
5 enforcement agencies: MISSOULA COUNTY SHERIFF'S OFFICE (Warrants).

6 ISSUED this 30 day of Aug, 2004, at the hour of 11:23 a.m.

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JUDGE

SHERIFF'S RETURN

I served this Temporary Order of Protection on the Respondent by delivering a copy to him/her at _____ : _____
o'clock ____m. on (date) _____, 200__ at (location)

DATED this ____ day of _____, 200____.

Signature of Server

1 Municipal COURT, MISSOULA, MONTANA

2 JUDGE Louden

3 Matthew Ellis)
4 Petitioner,)

5 vs.)
6 Keith Blackwell)
7 Respondent.)

CAUSE NO. 11960

8 **PETITION FOR TEMPORARY ORDER OF PROTECTION**
9 **AND REQUEST FOR A HEARING**

10 Under oath and under Montana law §40-15-201, I request that the Court issue a Temporary Order of
11 Protection against the Respondent. I believe I am in danger of harm if the Court does not issue a Temporary
12 Order of Protection immediately.

13 **CHECK THE SPACES BELOW WHICH APPLY TO YOU:**

14 Residency:

15 I live in Missoula County, Montana.

16 Respondent lives in Missoula County, Montana.
17 Or other County: _____

18 The abuse or offense happened in Missoula County, Montana.

19 **Relationship with Respondent:** *(It does not apply if the relationship is over or had been over for a while).*

- 20 I am married to the Respondent.
- 21 I am divorced from the Respondent.
- 22 I live with Respondent or I used to live with the Respondent.
- 23 I dated Respondent, or had an ongoing intimate relationship with the Respondent.
- 24 I had a child with the Respondent.
- 25 I am a family member or former family member of the Respondent (child; stepchild; adopted child; parent or step parent; brother or sister of step brother or sister; in-law).
- I have been the victim or Partner or Family Member Assault by the Respondent.
- Other, as defined in MCA 40-15-102: _____

No Relationship Required:

- 26 Stalking (repeatedly followed, threatened, intimidated, or harassed by the Respondent, causing severe emotional distress or fear of injury or death)
- 27 Incest
- 28 Sexual assault
- 29 Sexual intercourse without consent

1 **Children:**

2 _____ The Respondent and I are the parents of the following children:

3 Name: _____ Born: _____

4 Place of residence: _____

5 Name: _____ Born: _____

6 Place of residence: _____

7 Name: _____ Born: _____

8 Place of residence: _____

9 _____ The following children are not the Respondents', but live with me:

10 Name: _____ Born: _____

11 Name: _____ Born: _____

12 Name: _____ Born: _____

13 **DESCRIPTION OF OFFENSE:**

14 Explain why you are afraid and what happened that was harmful or threatening. Please describe what the
15 Respondent did. Please include dates and places where the offenses(s) occurred; list witnesses. It does not matter
16 if the offense happened a long time ago. Was the incident was reported to the police? Was the Respondent
17 arrested? Was the Respondent charged with a criminal offense? (There is no requirement that the offense was
18 reported to the police or sheriff.) If you were injured, describe your injuries and the medical attention you
19 received. Have you had an Order of Protection or Restraining Order against the Respondent in the past?
20 (Stalking Only—If this application is based on stalking, the Respondent must have intimidated, harassed,
21 threatened, or followed you more than once and caused you substantial emotional distress or fear of being
22 harmed.).

19 MR. BLACKWELL HAS BEEN AGAINST THE NEW STADIUM BEING
20 BUILT NEAR HIS HOME. FOR THE PAST TWO YEARS HE HAS
21 SENT EMAILS TO OSPREY VP/GENERAL MANAGER MATT ELLIS
22 COMPLAINING ABOUT VARIOUS ISSUES (THE OSPREY BASEBALL TEAM
23 IS THE PRIMARY TENANT OF THE STADIUM) REGARDING
24 THE STADIUM. MOST EMAILS HAD BEEN ANSWERED UNTIL
25 RECENTLY WHEN THEY BECAME ABUSIVE AND THREATENING IN
NATURE. OVER THE PAST TWO MONTHS, MR. BLACKWELL

1 HAS ENGAGED IN A SERIES OF COMMUNICATIONS
2 WHICH HAS BECOME ABUSIVE, THREATENING, AND
3 SLANDEROUS TOWARDS THE OSPREY ORGANIZATION,
4 MATT ELLIS AND HIS FAMILY, AND THE STAFF/EMPLOYEES
5 OF THE OSPREY. MR. BLACKWELL HAS CREATED
6 A WEBSITE THAT ATTACKS MR. ELLIS AND HIS FAMILY
7 AS WELL AS HIS STAFF. THE WEBSITE CONTAINS
8 NAME CALLING AND ABUSIVE LANGUAGE, THE WEBSITE
9 SHOWS PICTURES OF OSPREY STAFF WHICH WERE TAKEN
10 AND POSTED WITHOUT THEIR PERMISSION. THE
11 WEBSITE ALSO CONTAINS THREATS ON MR. ELLIS AND
12 HIS EMPLOYEES. THERE ARE THREE URLS THAT
13 CONTAIN THIS INFORMATION (ALL OF WHICH HAVE BEEN
14 PRINTED FOR OUR RECORDS). THEY ARE - WWW.M2LA.COM ;
15 WWW.M2LA.COM / OSPREY ; WWW.M2LA.COM / KEITH.

16 IN ADDITION TO HIS EMAILS AND WEBSITES, MR.
17 BLACKWELL ALSO APPROACHED TWO OSPREY PARKING STAFF
18 MEMBERS ON SATURDAY, AUGUST 26TH AND WAS ABUSIVE
19 TOWARDS BOTH. HE THREATENED THEM WITH ABUSIVE
20 LANGUAGE AND TOLD THEM THEY WOULDN'T HAVE A JOB
21 NEXT YEAR. A POLICE REPORT WAS FILED WITH THE
22 MISSOULA POLICE ON SUNDAY, AUGUST 27TH AND INCLUDES
23 WRITTEN STATEMENTS FROM BOTH EMPLOYEES.

24 ALSO, ON THURSDAY, AUGUST 24TH MR. BLACKWELL
25 WROTE HIS WEBSITE IN CHALK ALONG SIDEWALKS

1 LEADING UP TO THE STADIUM AND ON PRIVATE
2 PROPERTY AT THE STADIUM. HE WROTE IT 5-10
3 TIMES. WE HAVE PHOTOS OF THIS.

4 LASTLY, ~~RE~~ MR. BLACKWELL HAS SENT EMAILS
5 OR CALLED AT LEAST THREE ORGANIZATIONS
6 THAT DO BUSINESS WITH THE OSPREY. HIS
7 CORRESPONDENCE HAS ASKED THESE ORGANIZATIONS
8 TO EITHER STOP DOING BUSINESS WITH US OR
9 PUT US OUT OF BUSINESS. HE REFERS THESE
10 ORGANIZATIONS TO HIS WEBSITE.

11 SINCE SATURDAY'S INCIDENT, THE OSPREY
12 HAVE HIRED MISSOULA POLICE TO ESCORT STAFF
13 TO PLACING REQUIRED BARRICADES AT THE
14 REQUIRED LOCATIONS TO ENSURE THEIR SAFETY.
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[] Mark box if additional information is attached.

1 **Other Court Information:**

2 _____ The court should know about the following: *List criminal charges pending against you or the*
3 *Respondent. List any current court cases(s) involving you and the Respondent for dissolution, parenting*
4 *plan, or other orders of protection in Montana or any other state. Describe the type of case and court*
5 *where it is filed.*

6 There have never been actions filed in District Court between the Petitioner and the Respondent.

7 _____ There have been past actions filed in District Court between the Petitioner and the Respondent. (*Describe*
8 *type of cases(s)*):

9
10 **Immediate Need:**

11 I am in danger of harm unless the court gives me a Temporary Order of Protection immediately.

12 **PETITIONER REQUESTS THAT THIS COURT ISSUE A TEMPORARY ORDER OF PROTECTION**
13 **IMMEDIATELY TO INCLUDE THE FOLLOWING:**

14 (*Check and fill out all of the sections that are appropriate for you.*)

15 1. Respondent must not threaten to commit or commit acts of violence against me and these

16 family members: the Ellis family & Missiona Osprey
17 Events Staff.

18 2. Respondent is restrained from assaulting, threatening, following, or stalking the Petitioner.
19 Respondent must not harass, annoy, or disturb Petitioner's peace or do any of those things to the
20 following (*may include any family member including children, witness(es) to the offense, or other victims*
21 *of the offense*):

See #1

21 (*If the same people are listed as in #1, write "see #1".*)

22 3. Respondent must not contact, or attempt to contact, in person, by telephone, in writing, by e-mail,
23 by fax, nor through a third person, me and/or the following people: _____

See #1

24 (*If the same people are listed as in #1 or #2, write "see #1 or #2".*)

25 4. The location of my current residence is confidential.—OR—

1 5. Respondent must stay 1500 feet from my residence at: Confidential

2
3 6. Respondent must stay ~~500~~^{500 feet} feet from the Petitioner and the following
4 people: See #1

5
6 7. Respondent must stay 500 feet from the Petitioner's place of employment
7 at ~~Osprey~~ Ogden Park (Osprey Bul) Park, and/or the
8 Petitioner's/Petitioner's children's school at _____

9
10 And any of the following places frequented by the Petitioner and any other designated person in
11 this Petition: Osprey Office 412 W. Alder 59802

12
13 8. _____ Respondent must not remove the following child(ren) from Missoula County:
14 _____

15 9. _____ Respondent must not possess or use firearms.

16 10. _____ Respondent must not take, hide, sell, give away, borrow against, damage, or otherwise dispose of
17 jointly owned property, except as provided below (*must be limited to transfers in the usual course*
18 *of business or for necessities of life*). Respondent must notify the Petitioner, through the Court, of
19 any proposed expenditures made after an Order of Protection is issued. _____

20
21 11. _____ Respondent must give the following items to the Petitioner: (*Items may include, an auto and*
22 *other essential personal property, regardless of ownership*): _____

23
24 12. _____ Respondent must be excluded from the residence located at, regardless of ownership:
25 _____

(If Petitioner has fled the parties' residence, Petitioner's address may be withheld upon the request of the Petitioner, or by order of Court upon good cause.)

1 13. _____ Respondent will be granted one civil standby to obtain necessary personal articles, only when
2 accompanied by a court order and a peace officer.

3 14. _____ The Court deems the following additional relief is necessary to provide for the safety and welfare
4 of the Petitioner or other individuals designated on this Petition:
5 _____
6 _____

6 **HEARING**

7 Please set a hearing on this case within 20 days, as required by Montana Code Annotated §40-15-202.
8 The Respondent will then have a chance to be heard and explain why the Order of Protection should not be
9 issued. I request that the Court issue an Order of Protection with the above listed protections after the hearing.

9 **NOTARY SEAL OR JUDGE'S SIGNATURE**

10 STATE OF MONTANA)
11 County of Missoula County) ss.

12 Matthew Ellis, the Petitioner, after having been sworn, states as follows:

13 I have read the above petition, know the contents, and the statements are true of my own knowledge,
14 except those stated upon information and belief, and I believe those to be true.

15 Matthew C. Ellis
16 Petitioner

17 SUBSCRIBED AND SWORN to before me this 30 day of Aug, 2006.

18 _____
19 ~~Notary Public~~ / Judge
20 Residing at: _____
21 My Commission expires: _____
22
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24
25