

IN THE MATTER OF
KAREN C. SMITH AND
FERDINAND GLEN SMITH (POOH)

IN THE 292ND DISTRICT COURT
OF
DALLAS COUNTY, TEXAS

W2249

PROTECTIVE ORDER

THIS PROTECTIVE ORDER IS ISSUED IN COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT.

On this the 20th day of May, 1999, the Court heard the Application of the District Attorney of Dallas County, Texas, for a Protective Order.

Applicant, KAREN C. SMITH, appeared in person and announced ready.

Respondent, FERDINAND GLEN SMITH (POOH), appeared in person, pro se and agreed. Respondent waived/~~did not~~ waive his/~~her~~ right to a hearing and their right to have a court reporter make a record of the hearing.

Dallas County District Attorney appeared by Assistant District Attorney C. Boyea.

The Court finds that all necessary prerequisites of the law have been satisfied and that this Court has jurisdiction over the parties and subject matter of this cause.

The Court finds that family violence has occurred and that family violence is likely to occur in the foreseeable future.

IT IS THEREFORE ORDERED that FERDINAND GLEN SMITH (POOH) is prohibited from:

- 1) Committing family violence against KAREN C. SMITH.
- 2) Communicating directly with KAREN C. SMITH in a threatening or harassing manner.
- 3) Communicating a threat through any person to KAREN C. SMITH.
- 4) Going to or within 500 feet of the residence of KAREN C. SMITH, to wit: any confidential location in Dallas County, Texas AND ANY SUBSEQUENT RESIDENCE ADDRESS THAT MAY BE TAKEN DURING THE PENDENCY OF THIS PROTECTIVE ORDER, EXCEPT AS ORDERED IN WRITING BY A DISTRICT COURT OF DALLAS COUNTY, TEXAS.
- 5) Going to or within 500 feet of the place of employment or business of KAREN C. SMITH, to wit: 6100 Colwell Blvd, Irving, Dallas County, Texas 75039 AND ANY SUBSEQUENT PLACE OF EMPLOYMENT OR BUSINESS ADDRESS THAT MAY BE TAKEN DURING THE PENDENCY OF THIS PROTECTIVE ORDER.

IT IS FURTHER ORDERED that FERDINAND GLEN SMITH (POOH) is Ordered to pay reasonable and necessary court costs incurred in this matter to Dallas County, Texas to be paid on or before 7/20/99 to Dallas County, Texas, for which let execution issue.

IT IS FURTHER ORDERED that FERDINAND GLEN SMITH (POOH) is Ordered to pay attorney fees in the amount of \$ 350⁰⁰ to Dallas County, Texas to be paid on or before 7/20/99, for which let execution issue.


The judgment for Court Costs and the judgment for attorneys fees shall be paid directly to the District Clerk's Office of Dallas County Texas, Frank Crowley Court Building, 133 N. Industrial Street, 2nd Floor, Dallas, Texas 75207.

The Respondent, FERDINAND GLEN SMITH (POOH), is hereby ordered to complete a Batterer's Intervention and Prevention Counseling Program through an agency approved by the District Attorney's Office, Family Violence Division. Said counseling will be monitored by the District Attorney's Office and Respondent is ordered to report to the District Attorney's Office for counseling referral within 30 days from today's date. Respondent has been given reporting instructions in both Spanish and English.

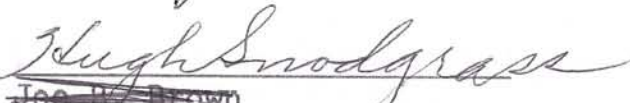
A copy of this order will be forwarded to the Chief of Police of Irving and Dallas, Texas.

All said protective orders contained herein shall continue in full force and effect for one year from the date of signature of this order.

I UNDERSTAND AND AGREE TO ENTRY OF THIS ORDER.


RESPONDENT SIGNATURE

SIGNED THIS THE 20 DAY OF May, 1999.


~~Joe H. Brown~~
Senior District Judge
Sitting by Assignment

PROTECTIVE ORDERS ARE ENTERED IN THE TCIC SYSTEM FOR THE STATE OF TEXAS.
FOR VERIFICATION DURING REGULAR BUSINESS HOURS, TELEPHONE 214/653-3528.

WARNINGS

A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH.

A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS.

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 CHANGED THE ORDER.

A VIOLATION OF THIS ORDER BY AN ACT OF STALKING OR ASSAULT WILL BE PROSECUTED AS A FELONY OFFENSE AND IS PUNISHABLE BY CONFINEMENT FOR AT LEAST TWO YEARS IN PRISON.

IT IS UNLAWFUL FOR ANY PERSON WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS FIREARMS AND/OR AMMUNITION. (18 U.S.C. SECTION 922 (g))

CERTIFICATE

I, Ferdinand Smith, do hereby certify that I have been delivered a true and correct copy of the above and foregoing Protective Order in open court this _____ day of _____, 1999.


RESPONDENT SIGNATURE



BILL HILL
CRIMINAL DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS

April 27, 1999

Sheriff of MORRIS County
502 UNION ST.
DAINGERFIELD, TEXAS 75638
Civil Division

Re: Protective Order
Cause No. CV9900679-V-292ND
Applicant KAREN C. SMITH
Respondent FERDINAND GLEN SMITH (POOH)

Dear Sheriff:

In reference to the above-numbered and entitled cause, please find enclosed one notice which is set for Court on MAY 6, 1999 at 1:00 P.M.

We request that you serve the Respondent, FERDINAND GLEN SMITH (POOH), at FM RD. 144, CASON, TEXAS 75636. Please serve as soon as possible.

If the court date expires before there has been an opportunity for service please hold the papers and a new court date will be sent to you.

Thank you in advance for your efforts. Please do not hesitate to call the Protective Order Division at (214) 653-3528, if we can be of any assistance to you.

Respectfully,

Cindy Ermatinger/Caps

Cindy Ermatinger
Assistant District Attorney
133 N. Industrial, 10th Fl.
Dallas, Texas 75207

MORRIS COUNTY SHERIFF'S DEPARTMENT
Civil Information Form

Received: 042899 _____ at 4:00 PM County: DALLAS _____ Rct No.: ?

Court: DISTRICT _____ Cause No: CV-99-00679-V _____ COURT DATE: 050699 _____

Type of Service: EX PARTE PROTECTIVE ORDER _____ Note: _____

Style: KAREN C. SMITH _____
VS
FERDINAND GLEN SMITH (POOH) _____

*****TO BE SERVED*****
NAME: FERDINAND GLEN SMITH (POOH) _____

Address: FM 144 Scason _____ City: CASON _____

Phone: _____ Employment: _____ City: _____

Race: _ Sex: _ DOB: _____ Hair: _ Eyes: _ SSN: . _____ DL# _____

*****REASON FOR RETURN OF PAPER*****
_____ This paper is being returned SERVED

This paper is being returned UNSERVED for the reason checked below:

- _____ Recalled By Your Office On
- _____ Incorrect Address
- _____ Moved, No Forwarding Address
- _____ Unable To Serve Prior To Court Date
- _____ Inccrrct Service Fee
- _____ No Longer Employed At Above

Address Will Be In 1.4us County House
 Moved--New Address Is SE 31 Past wood yard 1/4 mile Trailer on left.

*****REMARKS*****

*****SERVICE ATTEMPTS*****

Date	Time	Remarks
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sheriff Ricky Blackburn, By Deputy _____
Morris County Sheriff's Department, 502 Union St., Daingerfield Tx 75638

CAUSE CV-99-00679 -V

Ser Officer: MORRIS COUNTY

IN THE MATTER OF: KAREN C. SMITH

Clerk's fees	\$8.00
Officer's fees collected	\$0.00
Officer's fees uncollected	\$0.00
Cost not complied with	\$0.00
Affidavit Inability to Pay	\$0.00

AND FERDINAND GLEN SMITH (POOH)

SHERIFF'S RETURN

MORRIS CO. SHERIFF

THE STATE OF TEXAS

"A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE AS MUCH AS \$500.00 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH."

APR 28 1999

"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."

RECEIVED

TO: FERDINAND GLEN SMITH (POOH), F M RD. 144, CASON, TEXAS 75638

WHEREAS, in this suit pending in the 292nd Judicial District Court in and for Dallas County, Texas, Wherein KAREN C. SMITH is applicant and FERDINAND GLEN SMITH (POOH) is

Respondant, the said KAREN C. SMITH prayed for and obtained from the Honorable Henry Wade Jr., Judge of the 292nd Judicial District Court in and for Dallas County, Texas, EX PARTE: Temporary Protective Order and the said (bond waived) having given bond as required by the fiat of the Judge of the 292nd Judicial District Court.

Now, therefore, you the said FERDINAND GLEN SMITH (POOH), ARE HEREBY PROHIBITED FROM: (PER COURT ORDER, A CERTIFIED COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF)

until the further order of the 292nd Judicial District Court at a hearing to be held within and for the County of Dallas, At the Frank Crowley Courthouse, 133 N. Industrial Blvd., 4th floor, Auxiliary court #D, in the city of Dallas at 1:00 P.M. on 05/06/99

"An application for a protective order has been filed in the court stated in this notice alleging that you have committed family violence. You may employ an attorney to defend yourself against this allegation. You or your attorney may, but are not required to, file a written answer to the application. Any answer must be filed before the hearing on the application. If you receive this notice within 48 hours before the time set for the hearing, you may request the court to reschedule the hearing not later than 20 days after the date set for the hearing. If you do not attend the hearing, a default judgement may be taken and a protective order may be issued against you."

The application was filed on 04/23/99, a copy of which accompanies this notice

HEREIN FAIL NOT, but of this writ make due return showing how you have executed the same.

WITNESS: JIM HAMLIN, clerk of the District Courts, Dallas County, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL OF SAID COURT, at the office in the City of Dallas, Texas, this the 26th day of April, A.D. 1999

Issued at the request of:

DALLAS COUNTY DISTRICT ATTORNEY
133 N. INDUSTRIAL BLVD., L.B. 19
DALLAS, TX 75207-4399
214/653-3528

ATTEST: JIM HAMLIN
Clerk of the District Courts
133 N. Industrial Blvd.
Dallas, TX 75207

By: [Signature] Deputy

THIS IS TO CERTIFY THAT A COPY OF THIS ORDER AND WRIT HAS BEEN MAILED TO:

CHIEF OF POLICE: _____

SHERIFF OF: _____

OFFICER'S RETURN

Came to hand on the _____ day of _____, 19____ at _____ o'clock ____m., and executed on the _____ day of _____, 19____ at _____ o'clock ____m., by delivering to _____ the within named Respondant, in person, a true copy of this writ.

FEES
Serving Writ\$_____

Officer _____ County _____

By: _____ Deputy

FILED 4
DISTRICT CLERK
DALLAS CO. TEXAS

ABUSER'S (RESPONDENT'S) NAME Ferdinand Glen (Pooh) Smith

IMPORTANT: THIS PAGE WILL BE SENT DIRECTLY TO THE CONSTABLE

DESCRIPTION OF RESPONDENT (ABUSER):

DATE OF BIRTH 3-1-71 SOCIAL SEC # 454-73-8828

DRIVER'S LICENSE # 06852511 RACE Black

HEIGHT 6 FT 5 IN WEIGHT 360

EYE COLOR Brown HAIR COLOR Black

HAIR STYLE _____ LENGTH Short

PLEASE CIRCLE ANY THAT APPLY: GLASSES, BEARD, MOUSTACHE,
MISSING FRONT TEETH - Gold front teeth
 MALE OR _____ FEMALE

PLACE OF EMPLOYMENT None HOURS _____

ADDRESS _____ PHONE _____

HOME ADDRESS FM Rd 144 Cason TX PHONE _____
75636

OTHER OCCUPANTS AND RELATION _____ A
person who will always be able to contact Respondent:

Name: Coladys Smith Grandparents

Address: Hwy 144 Farm Rd 144 Telephone Work: 903-645-3968
Home 903-645-2674

City: Cason Morris County State: TX Zip: 75636

VEHICLE IDENTIFYING INFORMATION:

TYPE OF CAR None YEAR _____ MODEL _____

COLOR _____ TAG # AND STATE _____

ADDITIONAL INFORMATION FOR THE OFFICERS:

The abuser's (Respondent's) phone number where he/she is to be served: 903-645-2674

Attly * Another address for abuser (respondent) if the first address is a bad address: Catherine C. Bernhard 2201 Bennett Ave Dallas TX 75206-6926
214-653-3990

Telephone number where an officer can contact you for additional information: (972) 432-2475 Work
972-998-1457 mobile