

STATE OF SOUTH CAROLINA )

COUNTY OF )

IN THE MAGISTRATES COURT

\_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

VS. PLAINTIFF(S) )

\_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

\_\_\_\_\_ )

DEFENDANT(S)

**TEMPORARY (EX PARTE)  
RESTRAINING ORDER**

\_\_\_\_\_ CIVIL CASE NUMBER

**DEFENDANT IDENTIFIERS**

SEX *	RACE *	DOB*
EYES	HAIR	STATE

And/or on behalf of minor family member(s) or other

Protected persons: (List name)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Relationship to Plaintiff: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Defendant's Address

**\*Indicates required information for entry into NCIC**

CAUTION:

Weapon Involved

Weapon Present on Defendant's Property

Access to weapons

**THE COURT HEREBY FINDS:**

That it has jurisdiction over the parties and subject matter.

Additional findings of this order are as set forth below.

**THE COURT HEREBY ORDERS:**

That the above named Defendant be restrained from committing further acts of abuse or threats of abuse.

That the above named Defendant be restrained from any contact with the Protected Person as set forth on the attached pages.

The terms of this Order remain in effect until \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, the date of the hearing on the attached Rule to Show Cause, and may be extended by this Court at that time for good cause shown.

**WARNINGS TO DEFENDANT;**

This order shall be enforced in any county of South Carolina and by the courts of any state, District of Columbia, any U. S. Territory, and may be enforced by 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).

Only the Court can change this order.

**For Additional Information Call:**

\_\_\_\_\_ Sheriff  
Phone Number

\_\_\_\_\_ Sheriff  
Phone Number

Clerk of Court

The Plaintiff in this action filed a complaint and motion for a Restraining Order on \_\_\_\_\_, \_\_\_\_\_. After reviewing the verified pleadings and affidavits, the Court determined that there existed a present danger of bodily injury to the Plaintiff and, therefore, held an emergency ex parte motion hearing on \_\_\_\_\_, \_\_\_\_\_. At that hearing, the Court determined that the Plaintiff proved by a preponderance of the evidence the need for a Temporary Restraining Order.

The Court made the followings findings of fact: (Check all that apply)

- 1. The Plaintiff lives in \_\_\_\_\_ County, \_\_\_\_\_ (State).
- 2. The Plaintiff lives at \_\_\_\_\_ (Street Address) which is in \_\_\_\_\_ County, \_\_\_\_\_ (State).
- 3. The Defendant is employed at \_\_\_\_\_ which is located at \_\_\_\_\_.
- 4. The Defendant is a nonresident of this State or cannot be found.
- 5. The Harassment or Stalking, as described herein, occurred in \_\_\_\_\_, South Carolina.
- 6. The Defendant has committed the following acts which constitute Harassment in the 1<sup>st</sup> or 2<sup>nd</sup> Degree or Stalking:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IT IS THEREFORE ORDERED THAT**

- A. The Defendant is restrained, prohibited, and forbidden from abusing, threatening to abuse, or molesting the Plaintiff or members of Plaintiff's family.
- B. The Defendant is restrained, prohibited, and forbidden from entering or attempting to enter the Plaintiff's place of residence, employment, education, or the following locations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- C. The Defendant is restrained, prohibited, and forbidden from communicating or attempting to communicate with the Plaintiff in any way.

The terms of this Order remain in effect until \_\_\_\_\_, \_\_\_\_\_, the date of the hearing on the attached Rule to Show Cause, and may be extended by this Court at that time for good cause shown.

**AND IT IS SO ORDERED.**

Entered at \_\_\_\_\_ AM/PM on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAGISTRATE

**VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE PUNISHABLE BY THIRTY DAYS IN JAIL, A FINE OF FIVE HUNDRED DOLLARS, OR BOTH, AND IS IN ADDITION TO OTHER CRIMINAL PENALTIES WHICH MAY RESULT FROM SUCH ACTION.**

**PURSUANT TO SECTION [16-25-125](#) OF THE SOUTH CAROLINA CODE OF LAWS, IT IS UNLAWFUL FOR A PERSON WHO HAS BEEN CHARGED WITH OR CONVICTED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, WHO IS SUBJECT TO AN ORDER OF PROTECTION, OR WHO IS SUBJECT TO A RESTRAINING ORDER, TO ENTER OR REMAIN UPON THE GROUNDS OR STRUCTURE OF A DOMESTIC VIOLENCE SHELTER IN WHICH THE PERSON'S HOUSEHOLD MEMBER RESIDES OR THE DOMESTIC VIOLENCE SHELTER'S ADMINISTRATIVE OFFICES. A PERSON WHO VIOLATES THIS PROVISION IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN THREE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN THREE YEARS, OR BOTH. IF THE PERSON IS IN POSSESSION OF A DANGEROUS WEAPON AT THE TIME OF THE VIOLATION, THE PERSON IS GUILTY OF A FELONY AND, UPON CONVICTION, MUST BE FINED NOT MORE THAN FIVE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN FIVE YEARS, OR BOTH.**

TO LAW ENFORCEMENT OFFICERS:

Notwithstanding any other provision of law, the terms of this Order are enforceable throughout this State. S.C. Code Ann. §16-3-1750(F). Any person who violates a provision of this Order is subject to a fine not to exceed \$500 or imprisonment not to exceed thirty days, or both. S.C. Code Ann. §16-3-1770(C). Law enforcement officers shall arrest a defendant who acts in violation of this Order after service and notice of the Order have been provided. An arrest warrant is not required. S.C. Code Ann. § 16-3-1800.

COPY GIVEN TO PLAINTIFF BY \_\_\_\_\_ (initials)

COPY GIVEN TO DEFENDANT BY \_\_\_\_\_ (initials)