

Office of the SOUTHAMPTON JUSTICE Court, County of SUFFOLK, at the Courthouse at 32 JACKSON AVE. HAMPTON BAYS, State of New York

NYSD No. _____
CJEN No. _____

ORDER OF PROTECTION
Family Offenses - C.P.L. §30.12

PRESENT Hon. Andrea Schiavoni
PEOPLE OF THE STATE OF NEW YORK

Youthful Offender (check if applicable)
Part: Criminal Index/Docket No. 10-071502
Indictment No., if any: _____
Charges: 240.26(1)

(Check box: Ex Parte Defendant Present in Court

against Michael Lohan Defendant Date of Birth: 4/25/60

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND THEN CONTINUES IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection (as a condition of recognizing and/or release of and/or adjournment in contemplation of dismissal)

ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation] with the Court having made a determination in accordance with section 30.12 of the Criminal Procedure Law,

IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:

(Check applicable paragraphs and subparagraphs).

[07] Stay away from [A] [name(s) of protected person(s) or witness(es)] Kathryn Major and/or from the

[B] home of Kathryn Major [C] school of _____

[D] business of Kathryn Major [E] place of employment of Kathryn Major

[11] Michael Lohan may continue to reside @ [redacted]

[14] Refrain from communication of any other contact by mail, telephone, e-mail, voice mail or other electronic or any other means with [specify protected person(s)] Kathryn Major / No text messages / No social media contact

[02] Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, disorderly conduct, criminal mischief, sexual abuse, sexual harassment, forcible touching, intimidation, threats, or any criminal offense against [specify name(s) of protected person(s), members of protected person's family or household, or person(s) with custody of children]. Kathryn Major

[15] Refrain from intentionally agitating or killing without justification the following companion animal(s) (pet(s)) [specify type(s) and, if available, name(s)]: _____

[11] Refrain [specify activity] _____ to enter the residence at [specify] _____ during [specify date/time] _____ with [specify law enforcement agency, if any]: _____ to remove personal belongings not in issue in litigation [specify items]: _____

[04] Refrain from [specify acts]: Any acts & threats of physical violence that create an unreasonable risk to the health, safety, or welfare of [specify child(ren), family or household member]: Kathryn Major

[15] Refrain [specify activity] _____ entitled by a court order or separation or other written agreement, to visit with [specify child(ren)]: _____ during the following periods of time [specify]: _____

_____ under the following terms and conditions [specify]: _____

[12] Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following: Any/all weapons / Firearms and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but in no event later than [specify date/time]: Immediately to Suffolk Co Sheriff Southampton Town Police or local precinct.

[09] Specify other conditions defendant must observe for the purposes of probation: _____

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00 is hereby [] (A) suspended or [] (B) revoked (more final order only) and [] (C) the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes) Defendant may not purchase or attempt to purchase any firearms.

IT IS FURTHER ORDERED that this order of protection shall remain in force until and including [specify date]: 7/21/11

DATED: July 21st 2010

JUDGE JUSTICE Hon. Andrea Schiavoni
Court (Court Seat) _____

Defendant advised in Court of issuance and contents of Order
Order personally served on Defendant in Court

TIME _____ Court to be served by other means [specify]: _____
OFFICER _____

DATE _____
TIME _____
OFFICER _____

Warrant issued for Defendant

ADDITIONAL SERVICE INFORMATION (specify): _____

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her specific duties shall authorize and, in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the court to face penalties authorized by law.

Federal law requires that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 U.S.C. §§2261, 2262).

It is a federal crime to:

cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member, or to possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect.

Some states' limited exception for military or law enforcement officers but only while they are on duty, and

to possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of any lethal force or a deadly weapon against an intimate partner or family member, even after the order has expired. (18 U.S.C. §§2261(a), 2262(a)(1), 2261A, 2262).