

Owens v Gillespie

FC2022-052111

November 15, 2022

Ex Parte Hearing before Commissioner Laing

LO Laura Owens

CL Commissioner Laing

0:00	CL	All right, ma'am, I'm going to go ahead and call your matter now. This is FN2022-052111, Laura Owens and Gregory Gillespie. Ma'am, would you say your full name for me, please?
0:14	LO	Yes. It's Laura Owens.
0:18	CL	Would you please raise your right hand so that you can be sworn in by the Court?
0:22	LO	Yes.
0:24	CLER K	You do solemnly swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth, so help you God?
0:32	LO	I do.
0:33	CL	Thank you. You can put your hand down. Now, you are the Plaintiff in this matter. Who is Gregory Gillespie to you?
0:40	LO	He is an ex. I currently am involved in litigation with him as well [<i>inaudible</i>] -
0:47	CL	I just – I just – I just needed to make sure you had a – some sort of relationship with him. So he's an ex-boyfriend. I did have an opportunity to review your Petition, and you are alleging that he's made multiple

		attempts to contact you despite an active Order of Protection. Is that correct?
1:04	LO	Correct.
1:05	CL	Based on the evidence presented, the Court finds reasonable cause to believe that the Defendant may commit an act of domestic violence or has committed an act of domestic violence within the last 12 months. Therefore, I'm granting the request for the Order of Protection and entering the following orders.
1:19		I will order that Mr. Gillespie not commit any new crimes against you. I will order that he have no contact with you, and you do not want any exceptions, correct?
1:28	LO	Correct.
1:29	CL	I will order that he not go on or near the residence listed. Does he know where you live or do I need to hide the address?
1:36	LO	He does know where I live and [inaudible] moving -
1:39	CL	Okay. Okay. If you move and your address is changed, you need to request a modified order to reflect that new information, okay?
1:48	LO	Okay.
1:50	CL	You work from home, so there's no other work address to protect?
1:56	LO	No. No. I have animals on the property, though, and that's why I put the animals.
2:03	CL	Okay. The defendant is ordered to stay away from animals kept or held by Petitioner, Defendant or minor child who lives in either the Petitioner's household or Defendant's household. I am also including your request Defendant not be permitted to contact you via text message under pseudonyms. You request the Defendant not be able to watch videos on social media under his name or pseudonym to attempt to determine your whereabouts. I will include that in the order as well, okay?
2:38	LO	Thank you so much. I really appreciate this -

2:40	CL	<p>You're welcome. Now, the Order of Protection does not go into effect until it is served. It will be served by a Sheriff's officer as soon as possible. I don't have any control over when they serve it. I do have control over when the Sheriff becomes aware of it. We usually let the Sheriff know on the same day the order is issued that it needs to be served, but if you need me to, I can wait to let them know up to 72 hours. Do you want me to let them know today as we normally would or do you need me to wait?</p>
3:06	LO	<p>I would like for you to let them know now, thank you.</p>
3:09	CL	<p>We will notify them today. They'll serve it as soon as possible. Once it's served, it's valid for two years. If any of the information changes, you must request a modified order to reflect the new information. The Order of Protection does not substitute for any other matters you might resolve in Superior Court.</p> <p>Today you'll get copies of the Order as well as the Petition. Keep a copy of the Order with you at all times and make extra copies. If he shows up and he hasn't been served yet, you can call the police, let them know that you do have an Order of Protection that needs to be served. If they're willing, they can come, take one of your copies, use it to serve him, and then it would go into effect.</p> <p>He does have a right to request one hearing any time while the Order is in effect. If you move or change your telephone number, be sure to notify the Court. That applies even if the address is protected. If he requests a hearing, the Court will attempt to notify you at your last known address and phone number. If he shows up for the hearing but you do not, the Order will be dismissed.</p> <p>Once the Order is served, if the terms are violated, always notify the police if you believe he's violated the Order in any way. Call the police in the city that the violation occurred in. The Order of Protection does not guarantee your safety, so you should take steps to keep yourself safe. That will include giving a copy of the Order to the entities listed on it.</p>

		Do you have any questions for me, ma'am?
4:24	LO	Do I need to notify the Court in the other case that the Order is in effect, or is it just different? It's in Superior Court -
4:33	CL	That's up to you, ma'am. I can't give you any legal advice so if you have an attorney in that matter, you can talk to the attorney or you can contact the Court.
4:43	LO	Okay. I didn't – I just didn't know if it was a requirement or anything. Okay, okay, thank you -
4:47	CL	There's no requirement.
4:48	LO	I appreciate it. Okay [<i>inaudible</i>] -
4:50	CL	We're going to email this over to you in the next half an hour or so. Make sure you get multiple copies once you get yours, okay?
4:58	LO	Okay. Thank you so much. Have a [<i>inaudible</i>] day -
5:00	CL	You're welcome, ma'am. Thank you, you too. Bye.