

WITHOUT ATTORNEY (Name, address, telephone number, and address): <u>Jennifer Bonilla</u> IF YOU WANT MAIL SENT: <u>28 Princeton</u> <u>San Francisco, CA 94134</u> <u>337-7087</u> FAX NO. (Optional):		FOR COURT USE ONLY FILED SAN FRANCISCO COUNTY SUPERIOR COURT MAR 15 99 ALAN CARSON, CLERK BY: <u>[Signature]</u> <u>19600</u>
TELEPHONE NO. (Optional): ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		SUPERIOR COURT 400 McALLISTER STREET RM 103 SAN FRANCISCO, CA 94102
PERSON SEEKING ORDER: <u>Jennifer Bonilla</u> PERSON TO BE RESTRAINED: <u>Rolando Bonilla & Family</u> <u>Diana Bonilla</u>		CASE NUMBER <u>FL032330</u>
APPLICATION AND DECLARATION FOR ORDER (Domestic Violence Prevention)		

Read the Instructions for Obtaining Orders Prohibiting Domestic Violence before completing this form. This form must be completed and filed with an Order to Show Cause and Temporary Restraining Order (CLETS) (form DV-110).

1. PERSONS TO BE PROTECTED

Name	Age	Relationship to person seeking order
<u>Jennifer E. Bonilla</u>	<u>20</u>	<u>Myself</u>
<u>Joel A. Bonilla</u>	<u>1 WK</u>	<u>Son</u>

2. PERSON TO BE RESTRAINED (Name):

Rolando Bonilla and Diana Bonilla
 Sex: ☒ M ☐ F 6'5 Ht.: 280 Wt.: 21 Hair Color: Brn Eye Color: H Race: H Age: 20 Date of Birth: 2-12-78

3. ☒ I have been involved in other court actions with the person to be restrained in which restraining orders were issued. (If known, please specify case numbers and county or other state, United States territory, military tribunal, tribal court, or the District of Columbia and attach copies of orders): 99b38875

4. I am applying for a restraining order, and the person to be restrained and I (check at least one box):

- a. ☒ were married on (date): 12/20/97 and a dissolution, legal separation, or annulment proceeding
- (1) ☒ has not been filed.
 (2) ☐ has been filed (If known, specify case number and county):
- b. ☐ were formerly married to each other. (Specify state, county, and date of dissolution):
- c. ☐ are related to each other by blood, marriage, or adoption. (Specify relationship):
- d. ☐ live together.
- e. ☒ formerly lived together.
- f. ☐ have had a dating or engagement relationship.
- g. ☒ are parents of a minor child together.
- h. ☐ are parents of a minor child together and an action to establish paternity has been or is being filed. (If known, specify case number and county):
- i. ☐ are parents of a minor child together and an action to establish or modify child support involving the district attorney has been or is being filed. (If known, specify case number and county):
- j. ☐ are parents of a minor child together and have signed a Voluntary Declaration of Paternity form regarding the child.

(THIS IS NOT AN ORDER)

(Continued on reverse)

Page one of four

Family Code, § 6200 et seq.

PERSON SEEKING ORDER (name): Jennifer Bonilla

CASE NUMBER

PERSON TO BE RESTRAINED (name): Rolando Bonilla

5. The person to be restrained has (check at least one box):

- a. ☐ assaulted or attempted to assault me or another member of my household.
- b. ☒ caused, threatened, or attempted bodily injury to me or another member of my household.
- c. ☒ made me or another member of my household afraid of physical or emotional harm.
- d. ☐ sexually assaulted or attempted to sexually assault me or another member of my household.
- e. ☐ stalked me.
- f. ☐ other (describe in item 19).

6. a. The person to be restrained and I (you must check (1) or (2) below):

- (1) ☐ have no minor children together.
- (2) ☒ have minor children together.

Child's name

Joel A Bonilla

Birth date

march 8, 1999

(3) ☐ A juvenile dependency petition has been filed. (If known, specify case numbers):

- b. If you are seeking an order regarding custody or visitation of your children, you must attach a Declaration Under Uniform Child Custody Jurisdiction Act (UCCJA) (form MC-150) and a Child Custody, Visitation, and Support Attachment to Application and Declaration for Order (Domestic Violence Prevention) (form DV-100A).

I REQUEST THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

7. ☒ RESTRAINING ORDER

☒ To be ordered now and effective until the hearing.

Restrained person must not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy my personal property, disturb my peace, keep me under surveillance, or block my movements in public places or thoroughfares

☐ and that of the other protected persons listed in item 1.

8. ☐ RESIDENCE EXCLUSION ORDER

☐ To be ordered now and effective until the hearing.

Restrained person must immediately move from and must not return to (address):

and may take only personal clothing and effects needed until the hearing.

I am entitled to live at the address above because (specify facts):

9. ☒ STAY-AWAY ORDER

☒ To be ordered now and effective until the hearing.

Restrained person must stay at least (specify): 150 yards away from the following persons and places:
(The addresses are optional and you do not have to provide them.)

- a. ☒ Myself
- b. ☒ The other protected persons listed in item 1
- c. ☒ My residence (address optional):
- d. ☐ My place of work (address optional):
- e. ☒ The children's school or place of child care (address optional):
- f. ☒ My vehicle (year, make, model, color, and license plate number are optional):
- g. ☐ Other (specify):

- 10. If the restrained person is ordered to stay away from all the places requested in item 9, will the restrained person still be able to get to his or her residence, school, place of employment, or place of worship? ☒ Yes ☐ No (If no, explain):

(THIS IS NOT AN ORDER)

(Continued on page three)

PERSON SEEKING ORDER (name):

CASE NUMBER

PERSON TO BE RESTRAINED (name):

- ☐ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that they may be served no less than (specify number): _____ days before the date set for the hearing. I need this process shortened because of the facts contained in this application. (Add additional facts if necessary):

19. ☒ DESCRIPTION OF CONDUCT

Describe in detail the most recent incidents of abuse. List each incident separately by date. Describe the incident, including who did what to whom, whether any firearms or other weapons were used or threatened, and any injuries. Describe any history of abuse.

☒ Continued on Attachment 19.

march 12, 1999 - husband's family came over, started threatening and insulting my character and behavior. The Mother was trying to tell her son (my husband) to be "a man" in the house and impose on me or the Baby anything he willed by force. He threatened on taking the newborn Baby without me. I felt scared and I told them they couldn't. Then Diana (sister in law) lanced herself towards me and punched me twice on my back. I ran to call/dial 911, but Rolando (my husband) took the phone from the wall. I was feeling worse since I had just given birth to my baby 4 days prior. After - they all stepped out upon request of their father. Then we (my husband + I) started to argue he grabbed my index finger and shoved it back. I started to cry and he left w/ his father

20. ☐ OTHER ORDERS (specify other orders you request to help carry out the orders previously requested):

PLEASE NOTE THAT ALL ORDERS ISSUED BY THE COURT, AS WELL AS THIS APPLICATION AND DECLARATION, MUST BE PERSONALLY SERVED ON THE RESTRAINED PERSON. NO PERSON TO BE PROTECTED, INCLUDING YOURSELF, MAY PERSONALLY SERVE THE ORDER.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Jennifer Bonilla

(TYPE OR PRINT NAME)

Jennifer Bonilla

(SIGNATURE OF PARTY SEEKING RESTRAINING ORDER)

(THIS IS NOT AN ORDER)

prior to the incidence of march 12.

(Two weeks before) My husband Rolando had ~~just~~ made a short trip to Texas on his return, we got into an argument regarding his family and his inattentiveness in matters concerning my Baby or Me. He Argued the whole night: once he tired of Arguing I left outside and was about to go to my parents home. He had no keys to get back in and so he opened my car door- grabbed by my hair and shoulder (I was pregnant in my last days) and shoved me to open to door. once inside I remember trying not to cry loud so the neighbors would not wake or so that he would not shove me or cover my mouth. But all of a sudden I felt him cover my nose and my mouth with full strength. I tried to breathe and I couldn't - I tried to tell him but his grip was so tight that I could not utter a sound. I felt weak and almost fainted when he let go. After that I ran out to my mom's house at 6 am. Later that evening we placed a Police Report and did not follow up due to the many circumstances like my pregnancy and giving birth to my son a couple days later.

other incidents involve small arguments and him grabbing me by my arms and shoving me Against

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

Page

the walls, shaking me and yelling at me, while being pregnant.

I remember one morning as I was washing dishes ~~me~~ and talking - I ^{had} just commented on his sister's illness and he jumped up from bed and grabbed me hard by my arms then pulled my hair and slammed my back to the wall which was next to the bed. And threatened to not speak at all about his family, if I didn't want to "see what domestic violence was".

During all the times ~~that~~ he pushed and shoved he threatened to beat me. I remember actually believing this. I would hate to think what he would do when I'm not pregnant. ^(my husband) He did not even respect the fact that I was pregnant. He comes from a violent family and I do not want to expose my baby to this. All this is shown by the 1st incidence described about his family. I can't take abuse by him or his family. (Physical & emotional).

He never apologized for any of this - he says he did not do anything wrong, and doesn't recognize his violent character.

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, not line numbers):

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FOR COURT USE ONLY

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REEL/BATCH F

288-12

DEPUTY COUNTY CLERK

FILED
San Francisco County Superior Court

APR 23 1999

ALAN CARLSON, Clerk

BY: Louise R. Norega Deputy Clerk

CASE NUMBER

FL032330

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address)
ADDRESS WHERE YOU WANT MAIL SENT:NANCY G. RUBIN, ESQ.
SBN: 127824
2399 16th Avenue
San Francisco, CA 94116TELEPHONE NO. (Optional): (415) 564-2776
FAX NO. (Optional):
ATTORNEY FOR (Name): JENNIFER E. BONILLASUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
STREET ADDRESS: 400 MC ALLISTER STREETMAILING ADDRESS:
CITY AND ZIP CODE: SAN FRANCISCO, CALIFORNIA 94102

BRANCH NAME:

PROTECTED PERSON: JENNIFER E. BONILLA

RESTRAINED PERSON: ROLANDO A. BONILLA

RESTRAINING ORDER AFTER HEARING (CLETS)
(Domestic Violence Prevention)

This form may be used with the Findings and Order After Hearing (form 1296.31), if the court makes additional orders.

1. This proceeding was heard by judicial officer (name): CHARLOTTE WALTER WOOLARD
on (date): 3/29/99 at (time): 9:00 a.m. in Dept.: 403 Room: 403
2. a. ☒ The person seeking to be protected and the person to be restrained were personally present at the court hearing. No additional proof of service of this restraining order is required.
- b. The person seeking the restraining order was personally present and proof of service of the Order to Show Cause and Application for Order and Supporting Declaration was presented to the court.
- c. By written stipulation. No additional proof of service of this restraining order is required.

THE COURT FINDS:

3. a. The restrained person is (name): ROLANDO A. BONILLA

☒ Defendant/Respondent

Plaintiff/Petitioner

Sex: ☒ M ☐ F Ht.: 6'5 Wt.: 280 Hair color: Bk Eye color: Brn Race: H Age: 21 Birth date: 2/12/78

- b. The protected person is (name): JENNIFER E. BONILLA
- c. The protected family and household members are (list first and last names of all protected people under this order):
JOEL A. BONILLA

THE COURT ORDERS:

THIS ORDER, EXCEPT FOR ANY AWARD OF CHILD CUSTODY, VISITATION, OR CHILD SUPPORT, SHALL EXPIRE
AT MIDNIGHT ON (date): March 29, 2002
OR AT (date and time of continued hearing):
IF NO DATE IS PRESENT, THIS ORDER EXPIRES THREE YEARS FROM THE DATE OF ISSUANCE.

4. The restrained person
- a. shall not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares of: ☒ the person seeking the order ☒ the other protected person(s) listed in item 3c.
except for peaceful contacts related to court ordered visitation of the minor children as set forth on page 2 of this order.
- b. must immediately move from (address):
- c. ☒ shall stay at least (specify): 100 yards away from the following protected persons and places:
- (1) ☒ person seeking the order
 - (2) ☒ the other protected persons listed in item 3c
 - (3) ☒ residence of person seeking the order
 - (4) ☒ place of work of person seeking the order
 - (5) ☒ the children's school or place of child care (specify):
 - (6) ☒ protected person's vehicle (specify):
 - (7) other (specify):

(Continued on reverse)

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Family Code, § 6200 et seq

RESTRAINING ORDER AFTER HEARING (CLETS)
(Domestic Violence Prevention)

PROTECTED PERSON (name): JENNIFER E. BONILLA

CASE NUMBER

FL032330

RESTRAINED PERSON (name): ROLANDO A. BONILLA

Read this order carefully. Taking or concealing a child in violation of this order may be a felony and punishable by confinement in state prison, a fine, or both. Any person subject to a restraining order is prohibited from purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Possession of a firearm while subject to this order may be a felony under federal law punishable by up to ten (10) years in prison and a \$25,000 fine.

5. ☒ **CHILD CUSTODY AND VISITATION**

The custody and visitation of the minor children is ordered as set forth in the attached forms, which are incorporated herein and made an operative part of this order. Peaceful contacts shall be allowed related to court-ordered visitation.

Child Custody and Visitation Order Attachment (form 1296.31A)

☒ Supervised Visitation Order (form 1296.31A(1))

Other (specify):

6. **CHILD SUPPORT**

Child support for the minor children shall be ordered as set forth in the attached forms, which are incorporated herein and made an operative part of this order.

Child Support Information and Order Attachment (form 1296.31B)

Other (specify):

7. ☒ **ADDITIONAL ORDERS**

Additional orders relating to property control, debt payment, attorney fees, restitution, counseling and/or other orders are set forth in the attached forms, which are incorporated herein and made an operative part of this order.

☒ Other (specify): Respondent to enroll in and complete class in developmental stages of children, and an Anger Management Program (i.e. M.O.V.E. or Man Alive) and provide proof of enrollment at next hearing re: visitation

8. **FIREARM RELINQUISHMENT**

The restrained person is ordered to give up any firearm in or subject to his or her immediate possession or control within
24 hours after issuance of this order
48 hours after service of this order
other (specify):

Any firearms should be surrendered to the control of local law enforcement, sold to a licensed gun dealer, or relinquished pursuant to Family Code section 6389(l). The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

9. The restrained person is ordered to participate in a certified batterer's program for 12 months at that party's expense with the results of attendance and completion to be provided to the court.

10. Fees for service of this order by law enforcement are waived.

11. A copy of this order shall be delivered by the protected person to the law enforcement agency having jurisdiction over the residence of the protected person, who shall provide information to assist in identifying the restrained person. Proof of service of this order on the restrained person shall also be provided to law enforcement unless the order shows the restrained person was present in court. The law enforcement agency having jurisdiction over the plaintiff's residence is (name and address of agency):

(Continued on page three)

PROTECTED PERSON (name): JENNIFER E. BONILLA
RESTRAINED PERSON (name): ROLANDO A. BONILLA

CASE NUMBER
FL032330

12. x A copy of this order shall be given to the additional law enforcement agencies listed below by the protected person or the protected person's attorney:

Law enforcement agency
San Francisco Police Department

Address
850 Bryant Street, SF, CA

13. Any attachments noted in items 5, 6, and 7 of this order are attached hereto, incorporated herein, and made a part of this order.
Number of pages attached: One (en)

Date: 4-28-99

Susan B. King
JUDICIAL OFFICER
Judge Pro Tem

**ACTING AS PRESIDING JUDGE OF THE
COURT IN THE ABSENCE OF THE
JUDGE WHO HEARD THE CASE**

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to state and federal criminal penalties. This order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction of the parties and the subject matter; the defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in this and all other jurisdictions.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. Under federal law, the issuance of a restraining order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

CLERK'S CERTIFICATE

[SEAL]

I certify that the foregoing Restraining Order After Hearing (CLETS) is a true and correct copy of the original on file in the court.

Date:

Clerk, by _____, Deputy