



11-2-02830-1 36915342 TMORPRT 08-09-11

SOUTH HILL

FILED
IN COUNTY CLERK'S OFFICE

A.M. AUG 09 2011 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

JOSHUA S POWELL

DOB: [REDACTED]

No.: [REDACTED]

Temporary Order for Protection Order
and Notice of Hearing

Petitioner(s).

(TMORPRT)

Clerk's Action Required

vs.

Next Hearing Date/Time

Aug 23, 2011 1:00 PM

[REDACTED] COX

DOB: [REDACTED]

At: [REDACTED]

Ta: [REDACTED]

Respondent(s).

Identification of Minors: No Minors Involved.

Respondent Identifiers		Caution: Access to weapons: Yes			
Sex: Male	Race: WHITE	Height: 6 ft.	Weight: 250 lbs.	Hair Color: GRAY/PARTIALLY GRAY	Eye Color: UNKNOWN
Distinguishing Features:					

The Court Finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. RCW 26.50.070. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice of the respondent to avoid irreparable harm.

<input checked="" type="checkbox"/>	1. Respondent is Restrained from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking petitioner
<input checked="" type="checkbox"/>	2. Respondent is Restrained from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.02.060, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of <input checked="" type="checkbox"/> petitioner <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> only the minors listed below <input type="checkbox"/> members of the victim's household listed below <input type="checkbox"/> the victim's adult children listed below:
<input checked="" type="checkbox"/>	3. Respondent is Restrained from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a third party or contact by respondent's lawyer(s) with petitioner
<input checked="" type="checkbox"/>	4. Respondent is Restrained from going onto the grounds of or entering petitioner's residence, petitioner's place of employment, school, PETITIONER'S ADDRESS IS CONFIDENTIAL
<input type="checkbox"/>	5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately Vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. PETITIONER'S ADDRESS IS CONFIDENTIAL
<input checked="" type="checkbox"/>	6. Respondent is PROHIBITED from knowingly coming within, or knowingly remaining within the property boundaries of petitioner's residence, petitioner's place of employment, school,
<input type="checkbox"/>	7. Petitioner shall have possession of essential personal belongings, including the following:
<input type="checkbox"/>	8. Petitioner is granted use of the following vehicle: Year _____ Make _____ Model _____ License No. _____
<input checked="" type="checkbox"/>	9. Other: NO CONTACT WITH PETITIONER'S MINOR CHILDREN; [REDACTED]
Complete the following only if protection is granted involving a minor:	
<input type="checkbox"/>	10. Petitioner is Granted the temporary care, custody, and control of
<input type="checkbox"/>	11. Respondent is Restrained from interfering with petitioner's physical or legal custody of
<input type="checkbox"/>	13. Respondent is RESTRAINED from removing from the state

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to the appropriate Law Enforcement Agency **Where Petitioner Lives** which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

- ☐ The clerk of the court shall also forward a copy of this order on or before the next judicial day to the appropriate Law Enforcement Agency **WHERE THE RESPONDENT LIVES** which shall personally serve the respondent with a copy of this order and order and shall promptly complete and return to this court proof of service.
- ☐ Petitioner has made private arrangements for service of this order.
- ☐ Law enforcement shall assist petitioner in obtaining:
- ☐ Possession of Petitioner's
 - ☐ residence
 - ☐ personal belongings located at:
 - ☐ the shared residence
 - ☐ respondent's residence
 - ☐ other: _____
 - ☐ Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
 - ☐ Other: _____

Warnings To The Respondent: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, the defendant may be subject to criminal prosecution in federal court under 18 U.S.C. sections 2261, 2261A, or 2262.

Violation of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if the Respondent has at least 2 previous convictions for violating a protection order issued under Titles 10, 26 or 74 RCW.

If the court issues a final protection order, the respondent may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. section 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. section 925(a)(1). If the respondent is convicted of an offense of domestic violence, the respondent will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. section 922(g)(9); RCW 9A.41.040.

YOU CAN BE ARRESTED EVEN IF THE PERSON OR PERSONS WHO OBTAINED THE ORDER INVITE OR ALLOW YOU TO VIOLATE THE ORDER'S PROHIBITIONS. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application. Pursuant to 18 U.S.C. section 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

This Temporary Order for Protection is Effective Until the Next Hearing Date Shown on Page One.

Dated: August 9, 2011 at 1:10 a.m. (p.m.)

Presented by:

August 09 2011 11:32 AM

JOSHUA S POWELL
SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

Petitioner(s)

vs.

COX

Respondent(s)

NO. 11-2-02830-1

**PETITION FOR ORDER
FOR PROTECTION
(PTORPRT) (All Cases)**

1. <input checked="" type="checkbox"/> I am <input type="checkbox"/> A member of my family or household is the victim of domestic violence committed by the respondent as described in the statement below.	3. My age is: <input type="checkbox"/> Under 16 <input type="checkbox"/> 16 or 17 <input checked="" type="checkbox"/> 18 or over
2. <input checked="" type="checkbox"/> I live in this county. <input type="checkbox"/> I left my residence because of abuse and this is the county of my new or former residence.	Respondent's age is: <input type="checkbox"/> Under 16 <input type="checkbox"/> 16 or 17 <input checked="" type="checkbox"/> 18 or over
4. My relationship with the respondent is: <input type="checkbox"/> Spouse <input type="checkbox"/> Former spouse <input type="checkbox"/> Parent or child	<input checked="" type="checkbox"/> In-law/Related by Marriage <input type="checkbox"/> Related by blood <input type="checkbox"/> Have child in common <input type="checkbox"/> Presently reside together <input type="checkbox"/> Resided together in past <input type="checkbox"/> Presently dating <input type="checkbox"/> Dated in past

5. Identification of Minors ☒ No Minors involved.

Name	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

CASE NAME			
CASE NUMBER			
COURT/COUNTY			

REQUEST FOR TEMPORARY ORDER: AN EMERGENCY EXISTS as described in the statement below: I need a temporary restraining order issued immediately without notice to the respondent until a hearing to avoid irreparable injury. I request a Temporary Order for Protection that will:

I REQUEST AN ORDER FOR PROTECTION following a hearing **THAT WILL:**

✓	✓	¹ RESTRAIN respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking <input checked="" type="checkbox"/> me <input type="checkbox"/> these minors:
✓	✓	² RESTRAIN respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with <input checked="" type="checkbox"/> me <input type="checkbox"/> these minors, subject to any court-ordered visitation:
✓	✓	³ EXCLUDE respondent from <input type="checkbox"/> our shared residence <input checked="" type="checkbox"/> my residence <input checked="" type="checkbox"/> my workplace <input checked="" type="checkbox"/> my school; <input type="checkbox"/> the day care or school of these minors:
		⁴ DIRECT respondent to vacate our shared residence and restore it to me.
✓	✓	⁵ PROHIBIT respondent from knowingly coming within, or knowingly remaining within the property boundaries of: <input type="checkbox"/> our shared residence <input checked="" type="checkbox"/> my residence <input checked="" type="checkbox"/> my workplace <input checked="" type="checkbox"/> my school; <input type="checkbox"/> the day care or school of these minors:

		⁶ GRANT me possession of essential personal belongings, including the following.
		⁷ Grant me use of the following vehicle:
✓	✓	⁸ OTHER: No contact with Petitioners minor child(ren) Charles Powell 1-20-2005 Braden Powell 1-2-2007
		⁹ DIRECT the respondent to participate in appropriate treatment or counseling services.
		¹⁰ REQUIRE the respondent to pay the fees and costs of this action.
	✓	¹¹ REMAIN EFFECTIVE longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.
Check the following only if you are requesting protection involving a minor:		
		¹² Subject to any court-ordered visitation, GRANT me the care, custody and control of these minors:
		¹³ RESTRAIN respondent from interfering with my physical or legal custody of these minors:
		¹⁴ RESTRAIN the respondent from removing from the state these minors:

REQUEST FOR SPECIAL ASSISTANCE FROM LAW ENFORCEMENT AGENCIES:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- ☐ Possession of my residence. ☐ Use of designated vehicle.
☐ Possession of my essential personal belongings at ☐ the shared residence ☐ respondent's residence
☐ Custody of these minors:

☐ OTHER:

Domestic violence includes physical harm, bodily injury, assault, stalking, OR inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

[REDACTED]

STATEMENT: The respondent has committed acts of domestic violence as follows. (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act. You may want to include police responses.)

Describe the most recent incident or threat of violence and date:

Charles (Chuck) Cox stalked me and my children to Lowes Hardware because he knows we frequent the Kids Workshop projects (second time at Lowes, but he's done it elsewhere also). Cox's tone and behavior became threatening when they startled me and I turned to say "Goodbye." They have previously been told not to approach us under any circumstance. Cox asked, "Can't we hug our grandchildren now?" and I responded "No you may not, Goodbye." His words, behavior, and tone were as if he was trying to pick a fight with me. Chuck Cox mouthed the words "YOU'RE DEAD" and they refused to leave us alone for several minutes. Cox continued asking "Are we not allowed to hug our grandchildren?" He continued saying "What are you telling the children about us? What are you saying against us?" I simply said "goodbye" again and I was afraid for my life because Cox had cornered me and my children between a stack of wood where we were building childrens toys and a rack. I feared he would attack and try to kill me because he believes I am responsible for my wife's disappearance (his daughter). She became a missing person in December 2009. Cox has previously made comments that he feels he has motive to harm and kill me. When he and his wife saw me calling on the phone for help, they made a point of smirking and waving goodbye in a very exaggerated way to ensure I would see them leave. I hung up the phone, but afterward I asked the Lowes manager if the store could protect me and my children from them. Up to now, I have not been this forceful with Chuck Cox in protecting my children from him, but Cox's behavior is growing bolder and more threatening all the time.

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you:

Chuck Cox has been making comments in the media, in person, and in email designed to inflict me and my children with emotional insecurity and fear. Cox has previously acknowledged that he knows his actions have an extreme and detrimental effect on my children's emotional state, but he continues his tactics. Cox encourages his supporters to maintain hatred and fear of me which has led to violent reactions from his supporters. In February 2010 for example, Chuck Cox came into my neighborhood to encourage a door knocking campaign in which his supporters told my neighbors I was an abusive and violent person to raise hatred among my neighbors. He approached me and my children in our neighborhood park and I allowed him to spend a few minutes near my sons, but I told him never approach us or come into our neighborhood again. At that time, Cox said that he had motive to harm or kill me, but he wouldn't act on it because of his religion. Cox has personally called many of my friends, family, coworkers, neighbors, and my church members to give his "testimony" of why they should withdraw support from me and instead fear me. I fear Chuck Cox's violent tendencies because he suppresses rage and explodes. My wife (his daughter) has also told me about angry and violent outbursts by Chuck Cox and that she feared he was capable of killing someone if he was angry enough.

Describe any violence or threats towards children:

Chuck Cox's behavior in the media and cyber-bullying blogs is calculated to engender fear, hatred, and acts of violence against my family. There are many examples, but around the time of Chuck Cox's door-knocking campaign in my neighborhood, Chuck Cox's supporter [REDACTED] my former neighbor who has since moved) threatened physical violence against my sons (age 3 and 5 at the time). Morris claims his threats were against me, but he was looking directly at my children when he made them. This is the calculated response Chuck Cox is driving with his behavior in blogs and media.

Describe medical treatment you received and for what:

Describe any threats of suicide or suicidal behavior by the respondent:

Does the respondent own or possess firearms? ☐ Yes ☒ No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

Chuck Cox uses lies in the media as a weapon to engender fear and hatred of my family. By Cox's own words and through his official spokespersons, he continually violates me and my children in very public ways. I fear that the media will pick this up each time I renew this order and it will escalate the violence that Chuck Cox is leading against our family. My tiny sons have been victims of bullying and pranks because of Chuck Cox's behavior. The Coxes are legal strangers to my children and I will ensure they have no contact with them because of their abuse toward us. This further enrages Chuck Cox and his aggression is escalating. Until my wife returns, I expect Chuck Cox's hatred and violence to escalate continually.

Other:

My wife became a missing person in December 2009. The Coxes and many others have previously acknowledged that I could never harm my wife because I am not the violent type. However, Chuck Cox now believes that he has motive to harm and kill me over his new judgements of me and over the fact that I no longer allow him to contact my children. He has made threats to kill me and he attempts to assert his "dominance" in front of and at the expense of my children. I fear for my life because of what Chuck Cox is capable of. I had to buy a very costly home surveillance system as a result of Chuck Cox. Regardless of his reasons on the surface, no good will ever come of him hunting down a person he believes harmed and disappeared his daughter.

Check box if substance abuse is involved: ☐ alcohol ☐ controlled drugs ☐ other

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED 08/09/2011

at Puyallup, Washington - Domestic Violence Kiosk

/s/ JOSHUA S POWELL

Signature of Petitioner

You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents: