

ORI No: _____
Order No: _____
NYSID No: 2037037M
Present: Hon Harry Stephen

ORDER OF PROTECTION
Non-Family Offense - C.P.L. §530.13¹
(Not involving victims of domestic violence)
 Youthful Offender (check if applicable)

PEOPLE OF THE STATE OF NEW YORK

Part: AR2 Docket No. 2004NY003811
Charges: PL §40.3
 Ex parte
 Defendant Present in Court
(check one)

Ashish Girchi -against-
Defendant
Date of Birth: 08/08/66

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 CONTINUE IN EFFECT UNTIL YOU REAPPEAR IN COURT.

TEMPORARY ORDER OF PROTECTION. Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of recognizance release on bail adjournment in contemplation of dismissal].

ORDER OF PROTECTION. Whereas defendant has been convicted of [specify crime or violation]: _____

and the Court having made a determination in accordance with section 530.13 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):

- Stay away from [name(s) of protected person(s) or witness(es)]: Karen Blank
and/or from the home of _____
 school of _____
 business of _____
 place of employment of _____
 other _____
- Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other means with [specify protected person(s)]: Same
- Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats or any criminal offense or interference with the victim or victims of, or designated witnesses to, the alleged offense and such members of the family or household of such victim(s) or witnesses(es) as shall be specifically named [specify] Same
- Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following: _____ Such surrender shall take place immediately, but no later than [specify date/time]: _____ at: _____
- Specify other conditions defendant must observe: No third party contact, no contact at all including e-mail - (stayed)

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 suspended or revoked (Note: Final Order only), and/or the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes.) NOTE: If this paragraph is checked, a copy of this form must be sent to: New York State Police, Pistol Permit Section, State Campus Building #22, 1220 Washington Avenue, Albany, New York 12226-2252.

IT IS FURTHER ORDERED that this order of protection shall remain in effect until 2-25-04 (specify date) PTC

DATED: 1/14/04

[Signature]
JUDGE/JUSTICE
COURT (COURT SEAL)
STEPHEN

Defendant advised in Court of issuance of Order.
Received by Defendant Ashish Girchi
(signature)

Service Executed Date: 1-14-04 Time: 1235 HRS Warrant issued for Defendant

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 special duties shall authorize, and in some situations may require, such officer to arrest a defendant who has violated its terms and to bring him or her before the Court to face whatever penalties may be imposed therefor.

Federal law provides that this order must 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 it is established that 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. §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic violence; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a deadly weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner from assault, harassment, threatening and/or stalking, remains in effect (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

Original with court papers - One copy to complainant - One copy to defendant - One copy to police - One copy to defense counsel
CRC 3090 (Rev 11/02) FORM 2

¹Use this form for non-family offense orders of protection, issued pursuant to CPL §530.13, that are not issued to protect victims of domestic violence, as defined by Social Services Law §459-a and thus are not entered onto the statewide domestic violence registry. See Exec. L. §221-a(1); CPL §530.13.