STATE OF NORTH CAROLINA                      IN THE GENERAL COURT OF JUSTICE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY   DISTRICT COURT DIVISION

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,    )

                                                Plaintiff,                          )

     vs.                                                                                                     )                **INJUNCTION**

              )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                            )

                                                Defendant.                      )

THIS CAUSE, coming to before this honorable court by consent of the parties for entry of an Injunction pursuant to Rule 65 of the North Carolina Rules of Civil Procedure; and

            IT APPEARING TO THE COURT that Defendant was represented by her attorney\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the Plaintiff was represented by his attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

            The Court makes the following:

                                                           **FINDINGS OF FACT:**

1.         Plaintiff is a citizen and resident of \_\_\_\_\_\_\_ County, North Carolina.

2.         Defendant is a citizen of \_\_\_\_\_\_\_\_ County, North Carolina, and has been so for at least six months.

3.         The parties were married on \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_ and were later separated on or about \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_.

4.         There was one child born of the marriage to wit;\_\_\_\_\_\_\_\_\_\_\_\_ born \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

5.         Defendant received an ex parte Domestic Violence Protective Order on or about \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.  The parties have mutually agreed to dismiss the Protective Order.

6.         The parties subsequently resolved all issues related to the Domestic Violence Protective Order.

7.         The parties have mutually agreed to set aside the Domestic Violence Protective Order entered in \_\_\_\_\_\_\_\_ County District Court File Number \_\_\_ CVD \_\_\_\_\_\_ on\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

8.         It is in the best interests of both parties that the Ex Parte Domestic Violence Order be dismissed with prejudice, but that the parties communications be limited to concerns related to the minor child.

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1.      The parties are entitled to and in need of an injunction under Rule 65 of the North Carolina Rules of Civil Procedure to limit the contact between the parties.

IT IS THEREFORE ORDERED, AJUDGED, AND DECREED:

1.  Neither party shall molest, annoy or harass the other party in this action.

2. The parties shall limit their communication to issues related to the minor child and shall communicate primarily through email.  The parties shall not communicate via phone unless it is an issue related to the minor child.

3.  Neither party may follow or stalk the other party.

4. Either party shall have the power to enforce this Order with the assistance of law enforcement.

5.  Upon entry of this order the Defendant shall file a Voluntary Dismissal with prejudice of her Complaint for Relief from Domestic Violence \_\_\_\_\_\_\_\_\_ County file number \_\_\_\_\_ CVD \_\_\_\_\_ and the Defendant's complaint for relief from domestic violence is dismissed with prejudice upon entry of this Order.

5.  This Order shall continue in effect until terminated by any future order of the court.

This the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_.

            \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

            District Judge Presiding

CONSENTED TO:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                    \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                            \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Plaintiff                                                             Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                              \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_                                                      \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Counsel for Plaintiff                                                       Counsel for Defendant

STATE OF NORTH CAROLINA

COUNTY OF             \_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, personally appeared before me this day, and acknowledged the due execution of the foregoing Rule 65 Injunction and that the said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ stated that she signed the same freely and voluntarily, without fear or compulsion of her spouse or any other person; and that she voluntarily assents thereto.

Witness my hand and seal this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ personally appeared before me this day, and acknowledged the due execution of the foregoing Rule 65 Injunction; that the said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Bubernak stated that he signed the same freely and voluntarily, without fear or compulsion of his spouse or any other person; and that he voluntarily assents thereto.

Witness my hand and seal this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_