

**Request for Domestic Violence Restraining Order**

**Instructions**

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 12 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form DV-160-INFO, *Privacy Protection For a Minor (Person Under 18 Years Old) Domestic Violence Prevention* for more information on how to protect the child's information.

*Clerk stamps date here when form is filed.*

**FILED**  
**SAN MATEO COUNTY**

**AUG 11 2023**

Clerk of the Superior Court

By [Signature]  
 DEPUTY CLERK

**1 Person Asking for Protection**

a. Your name: James Cole

b. Your age: 34

c. **!** Address where you can receive court papers  
 (This address will be used by the court and by the person in 2 to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: 1682 Everglades Dr  
 City: Milpitas State: CA Zip: 95035

d. **!** Your contact information (optional)  
 (The court could use this information to contact you. If you don't want the person in 2 to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: 408-204-4296 Fax: \_\_\_\_\_  
 Email Address: jamesctcole@gmail.com

e. Your lawyer's information (if you have one)  
 Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_

*Fill in court name and street address:*

Superior Court of California, County of  
 San Mateo

Southern Branch: Hall of Justice and Records  
 400 County Center  
 Redwood, City, CA 94063

*Court fills in case number when form is filed.*

Case Number:  
**23FAM01674**

**2 Person You Want Protection From**

a. Full Name: Brittney E Little

b. Age (give estimate if you do not know exact age): 36

c. Date of Birth (if known): 7/27/1987

d. Gender:  M  F  Nonbinary

e. Race: Black/African American

**This is not a Court Order.**



3 Your Relationship to the Person in 2

(If you do not have one of these relationships with the person in 2, you are not eligible for this type of restraining order. You may be eligible for another type of restraining order. Learn more at www.courts.ca.gov/selfhelp-abuse.htm.)

(Check all that apply)

- a. We have a child or children together (names of children): Giannis Prince James Cole
b. We are married or registered domestic partners.
c. We used to be married or registered domestic partners.
d. We are dating or used to date.
e. We are or used to be engaged to be married.
f. We are related. The person in 2 is my (check all that apply):
g. We live together or used to live together. (If checked, answer question below):

4 Other Restraining Orders and Court Cases

- a. Are there any restraining orders currently in place or that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)
b. Are you involved in any other court case with the person in 2?

This is not a Court Order.



**Describe Abuse**

In this section, explain how the person in ② has been abusive. The judge will use this information to decide your request. Listed below are some examples of what "abuse" means under the law. **It is not a complete list** of all examples of abuse. Give information on any incident that you believe was abusive.

- made repeated unwanted contact with you
- tracked, controlled, or blocked your movements
- kept you from getting food or basic needs
- isolated you from friends, family, or other support
- made threats based on actual or suspected immigration status
- made you do something by force, threat, or intimidation
- stopped you from accessing or earning money
- tried to control/interfere with your contraception, birth control, pregnancy, or access to health information
- harassed you
- hit, kicked, pushed, or bit you
- injured you or tried to
- threatened to hurt or kill you
- sexually abused you
- abused a pet or animal
- destroyed your property
- choked or strangled you
- abused your children

**5 Most recent abuse**

a. Date of abuse (give an estimate if you don't know the exact date): 8/6/2023

b. Did anyone else hear or see what happened on this day?

I don't know  No  Yes (If yes, give names): Neighbors; Police who came to our apartment

c. Did the person in ② use or threaten to use a gun or other weapon?

No  Yes (If yes, describe gun or weapon): \_\_\_\_\_

d. Did the person in ② cause you any emotional or physical harm?

No  Yes (If yes, describe harm):

See DV-101 description of Abuse attached

e. Did the police come?  I don't know  No  Yes (If the police gave you a restraining order, list it in ④.)

f. Give more details about how the person in ② was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

I was emotionally abused when Brittiny snatched Giannis bottle from his mouth while I was feeding him. Then Brittiny sat on the sofa and starting taunting me that she has Giannis bottle. Brittiny got into my face and shrieked at me and her behavior scared me because I thought she would hurt Giannis and me. I was physically abused when Brittiny shoved and pushed me into the refrigerator. I ran into Giannis bedroom with Giannis and phoned the police. I emotionally and verbally abused and humiliated when Brittiny told the police that I hit her, that I wasn't the primary caregiver of Giannis, and that I didn't live in the residence. Police gave me an EPO. I had to leave without Giannia and I went to my family's home.

Happens: Intermittently every other week

g. How often has the person in ② abused you like this?

Just this once  2-5 times  Weekly  Other: Intermittently every other week

Give dates or estimates of when it happened, if known:

See DV-101, Description of Abuse for details

**This is not a Court Order.**



6 Has the person in 2 abused you in a different way from the abuse you described in 5? Yes  
If yes, describe below.

a. Date of abuse (give an estimate if you don't know the exact date): 7/4/2023

b. Did anyone else hear or see what happened on this day?  
 I don't know  No  Yes (If yes, give names): Cheryl Hernandez-Cole, doctors, and nurses

c. Did the person in 2 use or threaten to use a gun or other weapon?  
 No  Yes (If yes, describe gun or weapon):

d. Did the person in 2 cause you any emotional or physical harm?  
 No  Yes (If yes, describe harm):  
I was emotionally abused when Brittney told me she would kill herself because I refuse to take her to a family

e. Did the police come?  I don't know  No  Yes (If the police gave you a restraining order, list it in 4.)

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.  
(See Attachment 6)

g. How often has the person in 2 abused you like this?  
 Just this once  2-5 times  Weekly  Other: Intermittent every other month

Give dates or estimates of when it happened, if known:  
See declaration with dates or estimates of other occurrence-DV-1o1-Description of Abuse

This is not a Court Order.

7 Is there other abuse by the person in 2 that you want the judge to know about? Yes
If yes, describe below.

a. Date of abuse (give an estimate if you don't know the exact date): 3/20/2023

b. Did anyone else hear or see what happened on this day?
I don't know No Yes (If yes, give names):

c. Did the person in 2 use or threaten to use a gun or other weapon?
No Yes (If yes, describe gun or weapon):

d. Did the person in 2 cause you any emotional or physical harm?
No Yes (If yes, describe harm):
On 3/20/23, I was emotionally abused. See DV-1010 Description of Abuse for further details

e. Did the police come? I don't know No Yes (If the police gave you a restraining order, list it in 4.)

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.
(See Attachment 7)

g. How often has the person in 2 abused you like this?
Just this once 2-5 times Weekly Other: Intermittently every other wee

Give dates or estimates of when it happened, if known:
5/20/23, I was emotionally abused. Brittney lead me to believe she was seeing her doctors, taking medication, and caring for our son when I worked.
See DV-101-Description of Abuse for further details.

Check this box if you need more space to describe the abuse. You can use form DV-101, Description of Abuse, and turn it in with this form. You can also use a separate sheet of paper, write "Describe Abuse" abuse at the top, and turn it in with this form.

This is not a Court Order.



**8 Other Protected People**

Do you want the restraining order to protect your children, family, or someone you live with?

- a.  No
- b.  Yes (If yes, complete the section below):

(1) Full name	Age	Relationship to you	Lives with you?
<u>Cheryl Hernandez-Cole</u>	<u>56</u>	<u>mother</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>Cherie Cole</u>	<u>28</u>	<u>sister</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>Dominique Cole</u>	<u>30</u>	<u>brother</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>Giannis Prince James Cole</u>	<u>0</u>	<u>Child</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Check this box if you need to list more people. Use a separate piece of paper and write "DV-100, Other Protected People" at the top. Turn it in with this form.

(2) Why do these people need protection?

Giannis mother Brittiny, has a medical history of post-partum stress disorder and anxiety and was issued medications and she is frequently drinking alcohol. I am the primary care taker of Giannis since he was born. Brittiny sleeps most of the day, leaves the apartment frequently during the day, and does not wake up to feed Giannis when he cries during the night

On 8/6/2023, Giannis's mother, Brittiny, snatched, his bottle out of his mouth while I was feeding him. Brittiny got close into my face while holding Giannis and shrieked at me. I was scared and that Brittiny hurt us.  
On 8/6/23 when the police ask me to leave and issued EPO, I had to go live in my family home where my siblings live, Cherie and Dominique. Brittiny and my siblings do not have an amicable relationship.

**9 Does Person in (2) Have Firearms (Guns), Firearm Parts, or Ammunition?**

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver, frame, or unfinished receiver or unfinished frame. Ammunition includes bullets, shells, cartridges, and clips.)

- a.  I don't know
- b.  No
- c.  Yes (If you have information, complete the section below.)

	Describe firearms (guns), firearm parts, or ammunition	How many or what amount?	Location, if known
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

**This is not a Court Order.**



**Choose the Orders That You Want a Judge to Make**

In this section, you will choose the orders you want a judge to make now. Every situation is different.  
Choose the orders that fit your situation.

*Check all the orders that you want a judge to make (order).*

**10  Order to Not Abuse**

I ask the judge to order the person in (2) to not do the following things to me or anyone listed in (8):

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace. (For more information on what "disturbing the peace" means, read form DV-500-INFO, *Can A Domestic Violence Restraining Order Help Me?*)

**11  No-Contact Order**

I ask the judge to order the person in (2) to not contact me or anyone listed in (8).

**12  Stay-Away Order**

a. I ask the judge to order the person in (2) to stay away from:

*(Check all that apply)*

Me.

My vehicle.

My children's school or childcare.

My home.

My school.

Other *(please explain)*: \_\_\_\_\_

My job or workplace.

Each person in (8). \_\_\_\_\_

b. How far do you want the person to stay away from all the places you checked above?

100 yards (300 feet)  Other *(give distance in yards)*: \_\_\_\_\_

c. Do you and the person in (2) live together or live close to each other?

No  Yes *(If yes, check one)*:

Live together *(If you live together, you can ask that the person in (2) move out in (13).)*

Live in the same building, but not in the same home

Live in the same neighborhood

Other *(please explain)*: \_\_\_\_\_

d. Do you and the person in (2) have the same workplace or go to the same school?

No  Yes *(If yes, check all that apply)*:

Work together at *(name of company)*: \_\_\_\_\_

Go to the same school *(name of school)*: \_\_\_\_\_

Other *(please explain)*: \_\_\_\_\_

**This is not a Court Order.**



**13**  **Order to Move Out**

a. I ask the judge to order the person in **(2)** to move out of the home, located at:

(Give address): \_\_\_\_\_

b. I have a right to live at this address because:

(Check all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> I own the home.                            | <input type="checkbox"/> I have lived at this address for _____ years, _____ months. |
| <input type="checkbox"/> My name is on the lease.                   | <input type="checkbox"/> I pay for some or all the rent or mortgage.                 |
| <input type="checkbox"/> I live at this address with my child(ren). | <input type="checkbox"/> Other (please explain):                                     |

**14**  **Other Orders**

(Describe any additional orders you want the judge to make to keep you, your children, or the people in **(8)** safe.):

I want to get my belongings out of our shared apartment located at 333 Main Street Apt 109 Redwood City, CA 94063. When the police came to our apartment on 8/6/23 and I was given the EPO, I had to go stay at my family home at 1682 Everglades Dr Milpitas, CA 95035.

We have a shared storage unit on the 2nd floor of our shared apartment. I would like my belongings out of there as well.

I would like to pick-up my son with a child exchange because I have been his primary care giver since birth.

**15**  **Child Custody and Visitation**

(Check this box if you have a child with the person in **(2)** and want the judge to make or change a child custody or visitation order. **You must fill out form DV-105, Request for Child Custody and Visitation Orders, and attach it to this form.**)

Orders that you can request on form DV-105 include:

- |   |  |
|---|--|
| • Child custody   | • No visits with your children                         |
| • Stop person in <b>(2)</b> from accessing your child's school or medical information | • Supervised (monitored) visits with your children     |
|   | • Unsupervised (unmonitored) visits with your children |

**This is not a Court Order.**





**16**  **Protect Animals**

a. (You may ask the court to protect your animals, your children's animals, or the person in ②'s animals.)

Name (or other way to ID animal)	Type of animal	Breed (if known)	Color
(1) _____	_____	_____	_____
(2) _____	_____	_____	_____
(3) _____	_____	_____	_____
(4) _____	_____	_____	_____

b. I ask the judge to protect the animals listed above by ordering the person in ② to:

(Check all that apply)

- (1)  Stay away from the animals by at least:  100 yards (300 feet)  Other (number of yards): \_\_\_\_\_
- (2)  Not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- (3)  Give me sole possession, care, and control of the animals because (check all that apply):
  - Person in ② abuses the animals.  I take care of these animals.
  - I purchased these animals.  Other (please explain): \_\_\_\_\_

**17**  **Control of Property**

a. I ask the judge to give **only me** temporary use, possession, and control of the property listed here (describe):

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

b. Explain why you want control of the property you listed:

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

**18**  **Health and Other Insurance**

I ask the judge to order the person in ② to **not** make any changes to any insurance or other coverage for me, the person in ②, or our children, including not being allowed to cancel, cash, borrow against, transfer, dispose of, or change the beneficiaries for the insurance.

**19**  **Record Communications**

I ask the judge to allow me to record calls or communications the person in ② makes to me, when those calls or communications violate this restraining order.

**This is not a Court Order.**



20  **Property Restraint** (only if you are married or a registered domestic partner with the person in 2.)

I ask the judge to order the person in 2 not to borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in 2 to notify me of any new or big expenses and to explain them to the court.

21  **Extend My Deadline to Give Notice to Person in 2**

(Usually, the judge will give you about two weeks to give notice, or to "serve" the person in 2 of your request. If you need more time to serve, the judge may be able to give you a few extra days.)

I ask the judge to give me more time to serve the person in 2 because (explain why you need more time):

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

22  **Pay Debts (Bills) Owed for Property**

(If you want the person in 2 to pay any debts owed for property, list them and explain why. The amount can be for the entire bill or only a portion. Some examples include rent, mortgage, car payment, etc.)

a. I ask the judge to order the person in 2 to make these payments while the restraining order is in effect:

- (1) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \_\_\_\_\_ Due date: \_\_\_\_\_
- (2) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \_\_\_\_\_ Due date: \_\_\_\_\_
- (3) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \_\_\_\_\_ Due date: \_\_\_\_\_

Explain why you want the person in 2 to pay the debts listed above:

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

b. **Special decision (finding) by the judge if you did not agree to the debt (optional)**

(If you did not agree to the debt or debts listed above, you can ask the judge to decide (find) that one or more debts was made without your permission and resulted from the person in 2's abuse. This may help you defend against the debt if you are sued in another case.)

Do you want the judge to make this special decision (finding)?

- No  Yes (If yes, answer the questions below.)

(1) Which of the debts listed above resulted from the abuse? (check all that apply):

- a(1)  a(2)  a(3)

(2) Do you know how the person in 2 made the debt or debts?

- No  Yes

(If yes, explain how the person in 2 made the debt or debts):

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

**This is not a Court Order.**



**Orders That You Want a Judge to Make at Your Court Date**  
Below is a list of orders that a judge cannot make right away but can make at your court date in a few weeks. The person in (2) must be notified of your court date before the judge can consider making any of the orders listed below. Check all the orders that you want the judge to make at your court date.

**(23)  Pay Expenses Caused by the Abuse**

I ask the judge to order the person in (2) to pay for things **caused directly** by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). Bring proof of these amounts to your court date.

Pay to: _____	For: _____	Amount: _____
Pay to: _____	For: _____	Amount: _____
Pay to: _____	For: _____	Amount: _____

**(24)  Child Support** *(this only applies if you have a minor child with the person in (2))*

*(Check all that apply)*

- a.  I do not have a child support order and I want one.
- b.  I have a child support order and I want it changed *(attach a copy if you have one)*.
- c.  I now receive or have applied for TANF, Welfare, or CalWORKS.

**(25)  Spousal Support** *(this only applies if you are married or a registered domestic partner with person in (2))*

I ask the judge to order the person in (2) to give me financial assistance.

**(26)  Lawyer's Fees and Costs**

I ask that the person in (2) pay for some or all of my lawyer's fees and costs.

**(27)  Batterer Intervention Program**

I ask the judge to order the person listed in (2) to go to a 52-week batterer intervention program.

*(The goal of a batterer's intervention program is to stop abuse. There are weekly classes to teach accountability, abuse effects, and gender roles. If ordered to complete this program, the person in (2) would have to show proof to the judge that they enrolled and completed the program.)*

**(28)  Transfer of Wireless Phone Account**

*(If the person in (2) holds the rights to your cell phone account, you can ask the judge to transfer your number or your child's number to you. This means you will be financially responsible for these accounts. If you want to have control over a mobile device, like a cell phone, make this request at (17).)*

I ask the judge to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed below to me because the account currently belongs to the person in (2):

- a.  My number     Number of child in my care (including area code): \_\_\_\_\_
- b.  My number     Number of child in my care (including area code): \_\_\_\_\_

**This is not a Court Order.**



### Automatic Orders if the Judge Grants Restraining Order

**29 No Firearms (Guns), Firearm Parts, or Ammunition**

If the judge grants you a restraining order, the person in ② must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control. The person in ② would also be prohibited from buying firearms (guns), firearm parts, and ammunition.

**30 Cannot Look for Protected People**

If the judge grants you a restraining order, the person in ② will not be allowed to look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

**31 Additional pages**

If you used additional paper or forms, enter the number of extra pages attached to this form: 8

**32 Your signature**

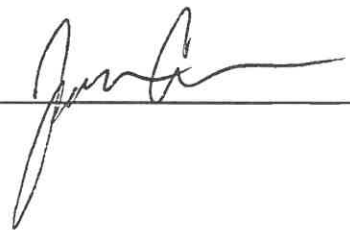
I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: August 10, 2023

James Cole

Type or print your name

▶ /s/ James Cole  
Sign your name



**33 Your lawyer's signature (if you have one)**

Date: \_\_\_\_\_

\_\_\_\_\_  
Lawyer's name

▶ \_\_\_\_\_  
Lawyer's signature

### Your Next Steps

**1 You must complete at least three additional forms:**

- Form DV-110, Temporary Restraining Order (only items 1, 2 and 3)
- Form DV-109, Notice of Court Hearing (only items 1 and 2)
- Form CLETS-001, Confidential CLETS Information
- **If you are asking for child custody and visitation**, you must complete form DV-105, Request for Child Custody and Visitation Orders and form DV-140, Child Custody and Visitation Order.

**2 Turn in your completed forms to the court. Find out when your forms will be ready for pick up.**

**3 Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in ②. The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.**

**4 If you are asking for child support, spousal support, or lawyer's fees, you must also complete form FL-150, Income and Expense Declaration. If you are only asking for child support (item 23), you may be eligible to fill out a simpler form, FL-155. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in ②.**

**This is not a Court Order.**

SHORT TITLE: Cole v. Little	CASE NUMBER: 23 FAM 01674
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Attachment 6 to DV-100  
 Describe Abuse on Date: 7/4/2023

I was emotionally abused when Brittiny told me she would kill herself because I refuse to take her to a family members birthday party. She asked me to take her to the hospital. The doctors evaluated her and did a 51/50 and admitted her for 48 hours. After the 48 hours, Brittiny was released and came back to my mother's home.

Then, I was further emotionally abused and humiliated when Brittiny called my mother, Cheryl Hernandez-Cole profanity names (expletives, "Bit..."). I felt demeaned as my mother is a nurse who attempted to help Brittiny.

See declaration with dates or estimates of other occurrences

Background: Brittiny has a history of medical posttraumatic stress disorder and anxiety from childhood trauma and she sees a therapist. After birth of Giannis, Brittiny was also diagnosed with post-partum depression and she is taking medication. History of medications include Lexipro, Zoloft, Atarax, Amlodipine. Please see DV-101 Description of Abuse for further details. See DV-101-Description of Abuse attached

SHORT TITLE: Cole v. Little	CASE NUMBER: 23 FAM 01674
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Attachment 7 to DV-100  
Describe Abuse on Date: 3/20/2023

On 3/20/23, I was emotionally abused by Brittiny when she told me she did not want to live and it was too hard after I discovered alcohol in a glass that she was drinking while pregnant. I took her to Stanford hospital.

The doctors admitted her and gave her an evaluation and confirmed she was drinking. I had to take off work for 2-days because I was afraid Brittiny would hurt herself and the baby.

See DV-101-Description of Abuse for further details See DV-1010-Description of Abuse for further details

EPO-001 ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

LAW ENFORCEMENT CASE NUMBER

EMERGENCY PROTECTIVE ORDER (See reverse for important notices.)

R25-05-015

1. PROTECTED PERSONS (insert names of all persons protected by this Order):  
JAMES COLE

2. RESTRAINED PERSON (name): BRITTANY LITTLE  
Sex:  M  F Ht: 5'2 Wt: 135 Hair color: BLK Eye color: BRN Race: BLK Age: 36 Date of birth: 07/29/87

3. TO THE RESTRAINED PERSON:  
a.  YOU MUST NOT harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.  
b.  YOU MUST NOT contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.  
c.  YOU MUST  stay away at least: 100 yards from each person named in item 1.  
 stay away at least: 100 yards from  move out immediately from (address): 1682 TURKGLADE DR MALIBU, CA 90235  
d. YOU MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.  
e. YOU MUST NOT take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.

4.  (Name): \* BRITTANY LITTLE is given temporary care and control of the following minor children of the parties (names and ages): JEANNE COLE 05/05/23 (3 months)

5. THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON: 08/11/23 @ 1700H  
6. TO THE PROTECTED PERSON: If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:  
(Name and address of court): 400 COUNTY CENTER REDWOOD CITY, CA 94063  
If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer (name): JAKUBOWSKI granted this Order on (date): 05/06/23 at (time): 2111

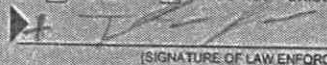
APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates; specify weapons):  
BOTH PARTIES WERE INVOLVED IN A DOMESTIC DISTURBANCE. BOTH PARTIES ALLEGED THE OTHER PART PUSHED THEM. CHGS GRANTED FOR BOTH PARTIES.

10.  Firearms were:  observed  reported  searched for  seized

11.  The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.

12.  The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order  does  does not exist.

By: T. POSWAL (PRINT NAME OF LAW ENFORCEMENT OFFICER)  (SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: RCPD Telephone No.: 650-780-7100 Badge No.: 503


PROOF OF SERVICE

13. Person served (name): JEANNE COLE BRITTANY LITTLE

14. I personally delivered copies of this Order to the person served as follows: Date: 05/06/23 Time: 2200  
Address: 353 MINN ST RT #109 REDWOOD CITY, CA 94062

15. At the time of service, I was at least 18 years of age and not a party to this cause.  I am a California law enforcement officer.

16. My name, address, and telephone number are (this does not have to be server's home telephone number or address):  
J. KEMENY 1201 MAPLES REDWOOD CITY, CA 94061 780-7100

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: 05/06/23  
J. Kemeny (TYPE OR PRINT NAME OF SERVER)  (SIGNATURE OF SERVER)





**4 Describe abuse to you or your children.**

Has the person in (2) abused you (or your children) other times?

a. Date of abuse: Yes, See Declaration attached

b. Who was there? See Declaration attached

c. Describe how the person in (2) abused you or your children:

See Declaration attached  
\_\_\_\_\_  
\_\_\_\_\_  
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d. Describe any use or threatened use of guns or other weapons:

No  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Describe any injuries:

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

f. Did the police or other law enforcement come?  No  Yes

If yes, did they give you or the person in (2) an Emergency Protective Order?  Yes  No  I don't know

The Emergency Protective Order protects  You  The person in (2)

*Attach a copy of the Emergency Protective Order if you have one.*

**5 Describe abuse to you or your children.**

See Declaration attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check here if you need more space. Attach a sheet of paper and write "DV-101—Description of Abuse" for a title.



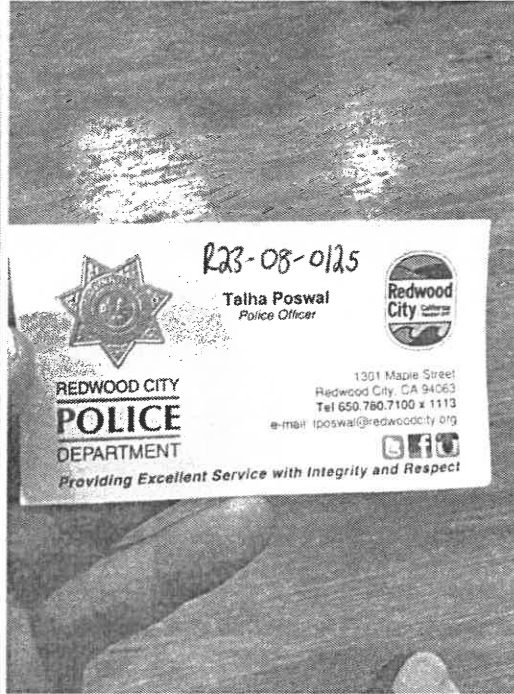
James Cole  
1682 Everglades Drive, Milpitas, CA 95035  
Phone: (408) 204-4296  
Email: jamesctcole@gmail.com

#### Declaration of Events

##### August 6, 2023

Brittney told me that she would be going to the Kaiser pharmacy and getting food before 4pm. I was watching our son, Giannis, and finished cooking a chicken dinner and had sat to eat. Brittney returned home some time before 6pm and said that she wanted to talk. She said that while she was out, she talked to her aunt and that she was advised to end the relationship. She then said that we needed to come up with a parental plan for Giannis, which I agreed to, until she put her friend, Anna, on the phone to listen to our conversation. I declined to talk with an outside party on the phone. Brittney told me to get out. I had our son in my arms, so I got out of bed and walked around while she followed me and threatened to call the cops to get me out. I then walked with my son into the nursery and called 911 myself to let them know about the situation. Brittney followed me and touched my arm trying to grab Giannis. When I refused, I walked away and she grabbed my arm. She then blocked the front door from me leaving. I walked back into the kitchen area to feed Giannis a bottle. She charged at us and snatched the bottle right out of his mouth. When I asked her what she was doing, she mocked me. She then went to my shoes in the closet and threw them out of their cabinets onto the ground. She then charged at me again and shoved me with both hands into the refrigerator. I shielded Giannis so that my shoulder slammed and he wouldn't feel any contact. Brittney and Anna (on speakerphone) mocked me for asking her to stop putting her hands on me and charging at Giannis and I. She then charged at me one more time and said she was going to punch me. Her friend then told her to run out of the apartment and say that I was physically assaulting her, so when she went out the door, I went out of the door and told neighbors she was putting her hands on me with my son in my hands. The neighbor in unit #110 agreed to wait in the hall at the door to maintain peace. Brittney kept her distance from Giannis & I and shortly after, police arrived. I explained to them that I was assaulted and I don't feel that my son or myself were safe around Brittney, but because there was no visual or audio evidence, it was my word against her's because she was accusing me of assaulting her, which I did not do. The police told me that Brittney claimed that I only stayed in the apartment as a guest a couple nights during the week, but officers found that to be questionable after looking through the apartment and seeing that my belongings were all throughout the unit. CPS arrived and I explained to them that there is a history of negligent care, abusive behavior and that I just wanted to make sure that my son was properly taken care of in my custody, as I have been his primary caregiver on a day to day basis since his birth. After a 4-5 hour wait, I was put in a position where I needed to vacate the premises and leave Giannis in Brittney's care after both of us requested emergency protective orders against each other in place through 5pm on Friday, August 11, 2023. I felt emotionally and verbally abused when Brittney snatched the bottle out of my son's mouth as I fed him, told the police that I hit her when I did not touch her, told the police that I wasn't our son's primary

caregiver, told the police that I didn't live in the residence, when the police handed me an EPO order and I continued to be emotionally abused about my son in Brittiny's care. The case number is #R23-08-0125. Below are the photos from the dates listed:



EPO-001 ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to leading agency  
EMERGENCY PROTECTIVE ORDER (See reverse for important notices.)

LAW ENFORCEMENT CASE NUMBER  
R33 08/01/03

1. PROTECTED PERSONS (insert names of all persons protected by this Order):  
JAMES CNE

2. RESTRAINED PERSON (name): BRENT LITTLE  
Sex:  M  F HL: 5'2 WL: 135 Hair color: BLK Eye color: BRN Race: BLK Age: 30 Date of birth: 07/17/73

3. TO THE RESTRAINED PERSON:  
a.  YOU MUST NOT harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy any personal property of, disturb the peace of, keep under surveillance, or block the movements of each person named in item 1.  
b.  YOU MUST NOT contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.  
c.  YOU MUST  stay away at least: 100 yards from each person named in item 1.  
 stay away at least: 100 yards from  move out immediately from (address): 1082 COCKLEDALE DR, WILSON, CA 94063  
d. YOU MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition. If you have any firearms, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer.  
e. YOU MUST NOT take any action directly or through others, to obtain the addresses or locations of any person named in item 1.  
4.  (Name): KATHY MARIE LITTLE is given temporary care and control of the following minor children of the parties (names and ages): GRANDS COLE 05/19/03 (3 years)

5. THIS ORDER WILL EXPIRE AT THE CLOSE OF THE COURT BUSINESS DAY ON: 08/14/03 @ 1700 hrs

6. TO THE PROTECTED PERSON: If you need protection for a longer period of time, you must request restraining orders from the court in the county where you live:  
(Name and address of court): 400 COUNTY CENTER, WILSON CITY, CA 94063  
If you go to court to request restraining orders, take your copy of this form with you. If a juvenile petition is pending, file in that court.

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer (name): JANIS BOLBRE granted this Order on (date): 08/06/03 at (time): 2:11

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates, specify weapons):  
WOMAN SAID SHE WAS INVOLVED IN A DOMESTIC VIOLENCE DISTURBANCE. KATHY MARIE LITTLE CALLED THE POLICE. POLICE DISMISSED THEM. CROSS FIRE CALLED

10.  Firearms were:  observed  reported  searched for  seized

11.  The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 3c.

12.  The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 9. A custody order:  does  does not exist.

By: T. Koswal (PRINT NAME OF LAW ENFORCEMENT OFFICER) [Signature] (SIGNATURE OF LAW ENFORCEMENT OFFICER)  
Agency: RCPD Telephone No.: 530-280-4100 Badge No.: 503

PROOF OF SERVICE

13. Person served (name): BRENT LITTLE

14. I personally delivered copies of this Order to the person served as follows: Date: 08/06/03 Time: 2:00  
Address: 253 MAIN ST #107, WILSON, CA 94063

15. At the time of service, I was at least 18 years of age and not a party to this cause.  I am a California law enforcement officer.

16. My name, address, and telephone number are (this does not have to be server's home telephone number or address):  
T. KOSWAL 120 MAIN ST WILSON, CA 94063 530-280-7111

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
Date: 08/06/03  
[Signature] (SIGNATURE OF SERVER) #441

August 4, 2023

Brittany and I planned a phone call with my mom, Cheryl Hernandez-Cole, to discuss guidelines for how we were going to parent our son, Giannis, together moving forward. Instead, Brittany lashed out at my mom for situations from the past, raised her parenting into question and brought up my estranged father. My mom then hung up to avoid further conflict, which infuriated Brittany even more. Brittany then looked at me while I was holding our son, Giannis, and said "See how your mom acts?!" She then added her friend, Anna, to the phone call. I told Brittany it was because she brought my father up. I felt emotionally abused when Brittany got very close to both Giannis's face and my face, grinded her teeth and said, "I did not do that!" and shrieked while storming out of the room. I felt scared for my baby's life and my life.

July 19, 2023

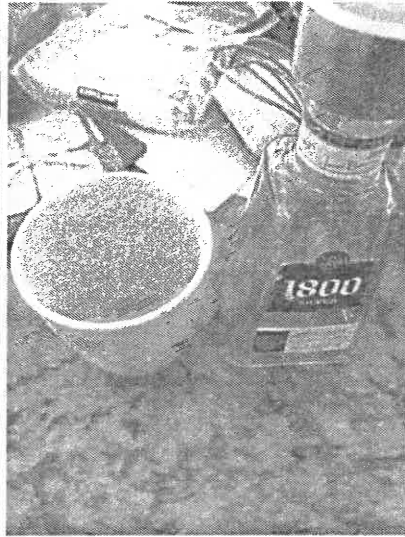
The day started off great. Today was mine and Brittany's 1-yr anniversary. I started Giannis off with his usual morning routine of bottle feeding, diaper changing, clothes changing burping and educational video. During this time, I presented Brittany with a card, balloon, gift and told her that I loved her. Brittany headed out to Kaiser for therapy right before 10:30am. Sometime around 2pm, she contacted me about a conversation that she had with my mother, Cheryl Hernandez-Cole, in regards to visiting with our son, Giannis. She was upset that my mom wanted to take Giannis to my grandparents' home in Livermore without us, stating that we needed to be present. I told her that I would talk about it with her when she returned home. When Brittany returned, she called her friend, Anna, to remain on the phone during our conversation. When I told her that I wasn't going to engage with a voice outside of our relationship and parenting involved, she said that we were going to be broken up until I learned to, "fight for our family." I replied "Ok." Brittany went on a walk. When Brittany returned, she wanted to talk about what the plan was. I reminded her that she said we were no longer together, and she said I had 48 hours to vacate the apartment. I agreed and even offered to stay in the nursery room. This upset her, and she changed her mind and told me that I had to vacate the apartment by the end of the night. I told her that wouldn't be an issue. This upset Brittany even more, and she grabbed my arm while I was holding Giannis. I asked her, "Please, let go of my arm." She grabbed one more time before letting go, at which point I got out of bed with our son and went into the nursery. She threatened to call the police if I took Giannis. She once again got on the phone with her friend, Anna, and they began creating theories about what was occurring. Brittany then gave me until 7:30pm to leave. She then left the apartment. Because she had threatened to call the police before leaving, and had stated several times that she would up and leave with our son without giving me any knowledge since finding out that she was pregnant on October 21, 2022, I called 911 and told them what was occurring and that I had no issue leaving, just as long as I could take our son because I'm his primary caregiver in the household. The officers arrived and agreed that I could be escorted out with our son. When Brittany came back into the apartment, she was angry and attempted to stop me from leaving. The police officers told her to stop, and then she got belligerent with them. I was then escorted to the parking garage where I left for my grandparents' home in Livermore. I was physically abused when Brittany grabbed my arm in a manner that I did not approve of. I was emotionally abused by Brittany when she used profanities at me and attempted to throw me out of our

residence. The incident report is #2307190195 by Officer Erick Chavez and Officer Captain Sears.

June 20-July 6, 2023

We were supposed to leave on June 21, 2023, to visit my mom, Cheryl Hernandez-Cole, in Southern California to celebrate my 34th birthday (June 23), 4th of July and just relax overall. Because of a triggering interaction with her sisters on June 19, 2023 that included drinking, Brittney had anxiety attacks that lasted from June 20-26, causing her to remain in bed, which put the tasks of watching our son, Giannis, taking care of Brittney and all of the household activities by myself. I eventually decided to pack everybody up into my car on June 26, 2023 so that we could finally head down. While in Moreno Valley, CA, Brittney was admitted to Kaiser ER on 3 separate occasions (June 29, June 30 and July 4) with various ailments, one of which was diagnosed as a "51/50 Watch" by Kaiser specialists due to threatening to harm herself/suicide. On July 2, Brittney started an argument with my mom and I over one of my family member's upcoming birthday party. This argument lasted several days. She was drinking during this time. Brittney threatened to fight my mom. After being released from Kaiser, two separate police reports were made at the residence, the latter for Brittney again, stating that she wanted to harm herself. Brittney said that she wanted to leave multiple times, and I told her that she could go, but that she couldn't take Giannis, as she was still recovering from previous hospital visits and was having suicidal thoughts. Finally on July 6, Brittney calmed down and was remorseful for her actions. From June 28-July 2, my cousin, his wife, his son and son's friend were at the house as well. I felt verbally and emotionally abused by Brittney by the way that she used profanities towards my mother and I and threatened my mother's physical well being. I felt demeaned as my mother is a nurse who attempted to help Brittney. Below are the photos from the dates listed:

23FAM01674



RIVERSIDE COUNTY SHERIFF'S OFFICE  
CPL/DEP DUBBY  
ID # 5723  
File # MY23181156  
Mariano Valley Station  
27950 Calle San Juan de Los Lagos  
Mariano Valley, CA 92553  
Desk (951) 498-8700  
Fax (951) 498-8730  
CHAD BLANCO  
SHERIFF

RIVERSIDE COUNTY SHERIFF'S OFFICE  
CPL/DEP RYALA  
ID # 10749  
File # MY231810112  
Mariano Valley Station  
27950 Calle San Juan de Los Lagos  
Mariano Valley, CA 92553  
Desk (951) 498-8700  
Fax (951) 498-8730  
CHAD BLANCO  
SHERIFF

June 5, 2023

My first day of paternity leave. Brittny continued to bring alcohol into the apartment, even after I asked her to stop, so that it wouldn't interfere with her medication intake. Below are the photos from the dates listed:



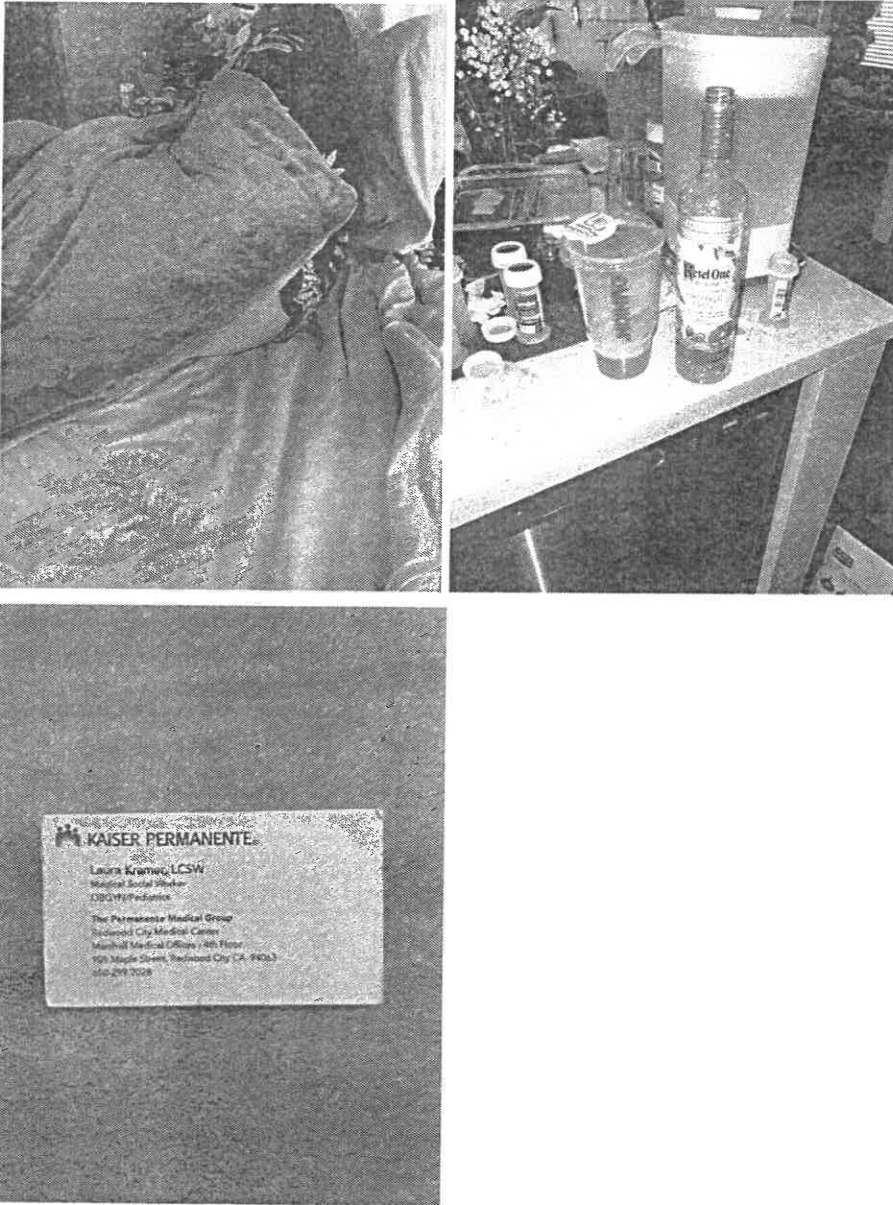


June 2, 2023

This was my final day of work before starting my 12-week paternity leave.

May 19, 2023

I was emotionally abused when Brittney led me to believe that she was seeing her doctors, taking her medications, taking care of our infant son, Giannis, while I went back to work for 5 days. During this time, I discovered multiple empty bottles of alcohol and knew I had to take paternity leave as quickly as possible. I was afraid for my son's life, safety, health and welfare. I contacted a social worker while at his 2-week appointment. They contacted CPS. I took Giannis to our family home. Later, my grandfather and I went to pick-up clothes and diapers for Giannis. Brittney said that she wanted to harm herself. I encouraged her to go to the hospital. She refused to go. I felt emotionally abused by Brittney when she over consumed alcohol while taking care of our son, Giannis, and said that she didn't want to live any more. Below are the photos from the dates listed:



May 8, 2023

Brittney was complaining of pain in her abdomen, so we returned to the ER to get her checked back in for evaluation. My mother, Cheryl Hernandez-Cole, watched our son, Giannis Cole, at our apartment while we settled in, then she dropped him off to stay with us in the room over the next few days. Brittney was released mid-week with medication and home in time for Mother's Day.

May 5, 2023

Brittany gave birth to our son, Giannis Prince James Cole, at 6:38pm at Kaiser Redwood City.

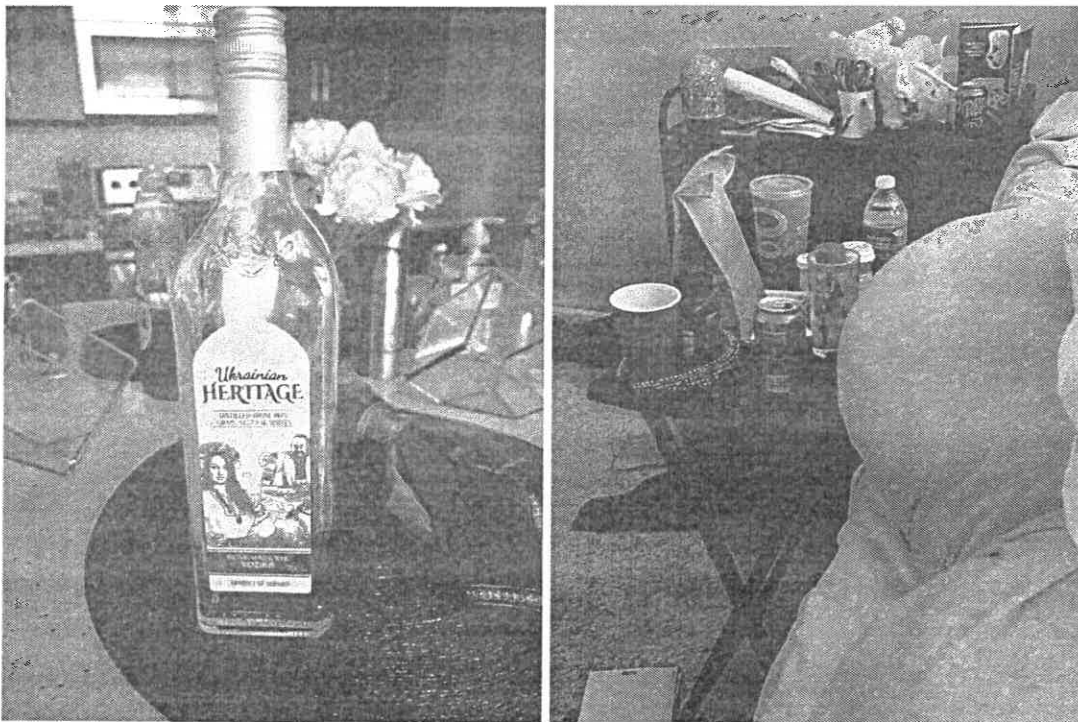
April 5-6, 2023 (35 weeks pregnant)

Brittany contacted both my mother, Cheryl Hernandez-Cole, and my sister, Cherie Cole, via text message while I was at work, stating that we were going to be guarded in who saw our child or not. I was unable to leave my post at work to stop the communication from occurring. I didn't agree with the information being sent out and told her in a phone call on my break. She got mad at me and told me that she felt like disappearing and needed space from me. When I returned to the apartment after work, she was already gone and wouldn't tell me where she was. Feeling distraught, I went to sleep and was awakened to a phone call where she shared where she was staying (I couldn't remember where due to waking up). I asked her to return and she refused. She called again about an hour later, and I made the comment that she makes things difficult and that it causes me to feel forms of depression and that there's times that I don't want to be here, as in the apartment. She then misquoted my words, called my grandparents and told them that I was suicidal. I then went for a drive to talk with both my mom and my aunt, Nicole Beamish. Brittany then called to tell me that she was kicked out of her room and blamed me for calling the police on her, even though I had no idea what she was referring to, as I didn't remember where she was stationed. When I returned home, she was already back in the apartment. The next day, April 6, I went with my mom to visit my great-grandparents' gravesite. Brittany kept calling my phone and continued to state that I wasn't standing up for our new family. I finally returned back to the apartment and she was groggy and sleepy. It was unconfirmed whether she drank. I felt emotionally abused by Brittany when she sent unpleasant text messages to my family during work hours, left our apartment without telling me her whereabouts—knowing that she was clinically diagnosed by medical specialists as a high risk pregnancy—around 4-5 weeks before her delivery date, as I feared for the safety of my unborn child, contacted my grandparents with false information, and verbally told me I wasn't a good family man while I was paying my respects to my dead relatives.

March 17-20, 2023 (32 weeks pregnant)

On Friday 3/17, Brittany and I planned to open gifts from our baby shower in our apartment after I returned from work. My family planned to attend. I was informed by my mother, Cheryl Hernandez-Cole, that there was a possibility that some of my family members could be late, which I informed Brittany of during my lunch hour. Brittany then sent me texts about how my family ruins our plans. I assured her that that wasn't the case. As I was driving home, Brittany called me and put me on a 3-way call with my mother and began shouting expletives towards us that nobody cared about her and that she was done with the family. She blamed my brother, Dominique Cole, and threatened to fight him. Saturday 3/18, she continued arguing with me and eventually told me to leave the apartment before she went to work. Not trying to cause her heart rate to rise and affect our baby, I agreed to leave. A few hours later, Brittany's sister, Pebbles, called me and told me that she advised Brittany that it wasn't in her best interest to be alone, as she was diagnosed as a high risk pregnancy with hyperemesis and on medication, so she

agreed that I could return to be by her side after she returned from work. I returned to the apartment that evening. On Sunday 3/19, Brittney again started to argue with me. I noticed there was a scent of alcohol. I was not drinking and had not been drinking. I went into the closet and found a bottle of Ukrainian Heritage brand vodka. I asked her if she had been drinking the previous three days. She confirmed that she had been. I removed the bottle from the premises into the trash in the garage. The next day, Monday 3/20, I was getting ready for work when Brittney said that she didn't feel good. When I walked by her side of the bed, I saw a glass that smelled like alcohol. I realized it was from a new bottle, but could not locate it. She then said that she hadn't eaten for the previous few days, so I called in from work and took her to Stanford Children's Hospital. Brittney kept saying, "I don't want to be here any more, Jay. I can't do this any more." She told nurses and doctors that she had in fact been stress drinking. One diagnosis from this visit was dehydration. I felt emotionally abused when Brittney used profanities against my family and I, threatened bodily harm against my brother, asked me to be removed from the apartment around 8 weeks before her delivery date, was drinking liquor & not eating while pregnant with my child, and saying that she wanted to harm herself, as I feared for the safety of my unborn child, knowing that she was clinically diagnosed by medical specialists as a high risk pregnancy. Below are the photos from the dates listed:



February 6, 2023 (26 weeks pregnant)

I came across 2 of Brittney's medications spilled all over the bed. Brittney has a habit of not properly closing her medication lids, nor putting the medications back in their designated areas. I became frustrated because I couldn't tell which medications needed to go into which bottle. I felt emotionally abused by Brittney when she failed to secure her medication because it made

me scared for my child's safety thinking about what could happen if our child were to ever get ahold of these pills and ingest them. Below are the photos from the dates listed:



November 23, 2022 (estimated 15-16 weeks pregnant)

Brittany was staying in a hotel in Concord. She had a travel nurse contract for John Muir Hospital in Walnut Creek. I felt emotionally abused by Brittany when she called me and spoke in a demeaning tone towards me saying that she didn't understand why she was staying in a hotel instead of at my home.

October 21, 2022 (estimated 10-11 weeks pregnant)

On October 19, Brittany and I ended our relationship. On October 21, Brittany informed me that she was pregnant. I agreed to meet her at THE LOT City Center in San Ramon to discuss our plans of parenting. I felt verbally abused when Brittany sent a text message stating, "You've shown me time and time again that you don't fuck with me," because I refused to allow her to come to my home. When I arrived, she was at the bar drinking and talking to an older couple. I told her I didn't like her drinking after learning she was pregnant. Brittany then got belligerent and verbally abused me in front of the bar in the presence of strangers. I felt humiliated. While Brittany was inebriated, she verbally attacked security guards in the parking garage by yelling expletives at them. Two officers were called in our direction to intervene. I felt emotionally

abused when Brittiny initiated a drunken altercation with security, parking officials and police officers because I feared for the safety of my unborn child while she was pregnant.

August 12-14, 2022

During this time, Brittiny was taking medication after a hospital visit at Kaiser in Fremont lasting from July 28-August 4, 2022. Brittiny verbally abused me while she was a guest at my residence at the family home in Milpitas. I returned home from work when Brittiny said that she learned of a friend dying by suicide. She had been drinking wine and was inebriated. While I was comforting her, she asked what I wanted for dinner. I told her I was intermittent fasting and done eating for the day, but I would pay for whatever meal she wanted to order through DoorDash. She asked me 4 more times within a 30 minute span. I said I wasn't going to eat. She then got angry, told me I didn't care about her, and shrieked, "Get the fuck out of here!" while in my bedroom. I was emotionally and verbally abused by Brittiny when she used profanity towards me while in the presence of her foster sister, Pebbles (the telephone was on speaker), because I refused to allow her to live in our family home. Below is a photo of her medications:



After all of these events, I am seeking emergency temporary custody over my son, Giannis Cole, so that I can find time to go after what I ultimately want, which is full legal custodial care. I am ok with Brittiny having supervised visits with our son, Giannis, until Brittiny can show she is competent to care for our son and do what is in Giannis' best interest in terms of health and physical welfare.

This form is attached to form DV-100. (Use this form to request orders for children you have with the person in ②.)

**① Your Information**

Name: James Cole  
Relationship to children:  Parent  Legal Guardian  Other (describe): \_\_\_\_\_

**② Person You Want Protection From**

Name: Brittany E Little  
Relationship to children:  Parent  Legal Guardian  Other (describe): \_\_\_\_\_

**③ Children Under 18 Years Old (list from oldest to youngest)**

a. Name: Giannis Prince James Cole Date of birth: 5/5/2023  
b. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
c. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
d. Name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

(Check here if you need more space. Write "DV-105, Children" at the top and attach it to this form.)

**④ City and State Where Children Lived**

a. Have all the children listed in ③ lived together for the last five years?

- Yes (Complete section 4b.)
- No (If no, do not complete the section below. Instead, use form DV-105(A)).

b. List where the child or children have lived for the last five years. Start with their current location.

Dates (month/year)	City, State, and Tribal Land	Children lived with (check all that apply):		
		Me	Person in ②	Other*
From: <u>Birth</u> To present	<u>California</u> <input checked="" type="checkbox"/> Check here if you want to keep your current location private. List the state only.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other\* (relationship to child): \_\_\_\_\_

**This is not a Court Order.**

5 History of Court Cases Involving Your Children

a. Do you know about any other case involving any child listed in 3?

- No
Yes (If yes, complete section below.)

(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)

- Custody
Divorce
Juvenile Court (child welfare, juvenile justice)
Guardianship
Criminal
Other (example: child support case)

b. Is there a current order for custody or visitation in effect?

- No
Yes (Complete the section below.)

What did the judge order? (Examples: who has custody of the children and what is the visitation schedule)

Blank lines for describing the judge's order.

(Attach a copy of the order, if you have one.)

Why do you want to change the order?

Blank lines for explaining the reason to change the order.

c. If there is another parent or legal guardian besides you and the person in 2, complete the section below.

Name: Parent Legal Guardian

This is not a Court Order.





**Orders a Judge Can Make to Protect Your Children**

To ask for orders to protect your children, answer the questions below.

**6 Do you want to limit where the person in 2 can travel with your children?**

No

Yes (Complete the section below):

I ask the judge to order that the person in 2 must have written permission from me, or a court order, to take the children outside:

The county of (list): San Mateo, Santa Clara, San Joaquin, Alameda

California

Other places (list): \_\_\_\_\_

**7 Do you want the person in 2 to have access to the children's records or information?**

Yes

No (Complete the section below):

a. I ask the judge to order that the person in 2 not access or have access to the records or information for:

All the children listed in 3.

Only the children listed here (names): \_\_\_\_\_

b. For the following records or information (check all that apply):

Medical, dental, and mental health

School and daycare

Extracurricular activity, including summer camps and sports teams

Other (describe): \_\_\_\_\_

(If the judge makes this order, providers will not be able to release the protected information to the person in 2.)

**8 Do you believe the person in 2 might abduct (kidnap) your children?**

No

Yes (To ask for orders to help prevent abduction, you must complete form DV-108, Request for Orders to Prevent Child Abduction, and attach it to this form.)

**This is not a Court Order.**



**Child Custody**

You can ask a judge to make custody orders for your children. There are two types of custody in California: legal and physical custody.

- **Legal custody** means the person that makes decisions about the child's health, education, and welfare.
- **Physical custody** means the person that the child regularly lives with.

For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

**9 Do you want the judge to make child custody orders?**

No

Yes (Complete the section):

Legal Custody (check one):

- Sole to me  
 Sole to person in (2)  
 Jointly (shared) by me and person in (2).  
 Other (describe):

Physical Custody (check one):

- Sole to me  
 Sole to person in (2)  
 Jointly (shared) by me and person in (2).  
 Other (describe):

**Visitation (Parenting Time) with Children**

You can ask a judge to make decisions about when your child spends time with the person in (2). This is called parenting time or visitation. It means the schedule and exact times each parent spends with the child. If a parent does not get custody, that parent can have parenting time with the child if a judge believes it is safe and in the child's best interest. Answer the questions below to tell the judge what parenting time you want right now for person in (2). Any orders the judge makes are temporary for now. They last until the court date (about three weeks away). On your court date, the judge can change or extend the orders.

**10 Do you want the person in (2) to have visits (parenting time) with the children?**

- No, I ask the judge to order that person in (2) have no visits. (Stop here. You have finished completing this form.)  
 Yes (Go to (11).)

**11 Do you want visits with the children to be supervised (monitored) by a third-party?**

(To learn about supervised visitations, go to: <https://selfhelp.courts.ca.gov/guide-supervised-visitacion>.)

- Yes (Go to (12).)  
 No (Go to (13).)

**12 Details of Supervised (Monitored) Visits**

(Complete a and b):

a. Who do you want to supervise the visits?

(Check one):

Nonprofessional, like a trusted relative or friend (list name, if known): \_\_\_\_\_

Professional (list name, if known): Unknown

Professional fees paid by: Me 75 % Person in **2** 25 % Other: \_\_\_\_\_ %

b. How often and how long should the visits be?:

(Check one):

Once a week, for (number of hours): \_\_\_\_\_ each visit.

Twice a week, for (number of hours): 2-5 each visit.

Other (describe): \_\_\_\_\_

Check here if you want to use the chart listed below for a schedule. \_\_\_\_\_

<b>Schedule for Supervised Visits</b>			
<i>(List the days and times the person in <b>2</b> should visit with the children.)</i>			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: _____ End, if applies: _____	_____	_____
Tuesday	Start: _____ End, if applies: _____	_____	_____
Wednesday	Start: _____ End, if applies: _____	_____	_____
Thursday	Start: _____ End, if applies: _____	_____	_____
Friday	Start: _____ End, if applies: _____	_____	_____
Saturday	Start: _____ End, if applies: _____	_____	_____
Sunday	Start: _____ End, if applies: _____	_____	_____
<b>Follow the schedule listed above (check one):</b>			
<input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
<b>Start date for visits (month, day, year)</b> _____			

**!** If you completed **12**, you are done completing this form. Do not complete **13**.)



**13 Details of Unsupervised Visits**

(Complete a and b):

a. If the judge allows the person in ② to have unsupervised visits with your children, you will have to tell the judge how you want to handle drop-off and pick-up of the children, also called child exchanges.

Do you want child exchanges to be supervised by a third-party?

No

Yes (Complete the section below):

Who do you want to supervise the exchanges? (Check one):

Nonprofessional, like a trusted relative or friend (list name, if known): \_\_\_\_\_

Professional (list name, if known): \_\_\_\_\_

Professional fees paid by: Me \_\_\_\_\_ % Person in ② \_\_\_\_\_ % Other: \_\_\_\_\_ %

b. Describe the parenting time you want the person in ② to have with the children.

(Use the lines or chart below to explain what days and times the person in ② should visit with the children. Give details including when visits will happen, how often the visits should be, and who will be responsible for transporting the children.)

Twice a week, child will be transported to/from by James Cole to the designated supervisors location \_\_\_\_\_

Schedule for Unsupervised Visits			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: _____ End, if applies: _____		
Tuesday	Start: _____ End, if applies: _____		
Wednesday	Start: _____ End, if applies: _____		
Thursday	Start: _____ End, if applies: _____		
Friday	Start: _____ End, if applies: _____		
Saturday	Start: _____ End, if applies: _____		
Sunday	Start: _____ End, if applies: _____		
Follow the schedule listed above (check one):			
<input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
Start date for visits (month, day, year) _____			

# DV-105(A) City and State Where Children Lived

Case Number:

23FAM01674

This form is attached to (check one):

- DV-105 (For person in ①): Use this form if you have children that have not lived together for the last five years.)
- DV-125 (For person in ②): Use this form to list where your children have lived for the last five years.)

(Use the space below to list where the child or children have lived for the last five years. Start with their current location.)

Name of child or children: Giannis Prince James Cole

Dates (month/year)	City, State, and Tribal Land	Children lived with (check all that apply):		
		Me	Person in ②	Other*
From: <u>5/5/23</u> To present	<u>Redwood City, CA</u> <input type="checkbox"/> Check here if you want to keep your current location private. List the state only.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other* (relationship to child): _____				

(Use the space below to list another child or children who have not lived with the child or children listed above. List where they have lived for the last five years. Start with their current location.)

Name of child or children: \_\_\_\_\_

Dates (month/year)	City, State, and Tribal Land	Children lived with (check all that apply):		
		Me	Person in ②	Other*
From: _____ To present	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Check here if you want to keep your current location private. List the state only.				
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other* (relationship to child): _____				

- Check here to list other children with a different residence history than the children you've already listed. Use another form DV-105(A) and attach it to this form.

**This is not a Court Order.**

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

DV-108

Request for Orders to Prevent Child Abduction

Case Number:

23FAM01674

This form is attached to DV-105, Request for Child Custody and Visitation Orders.

(Use this form to ask for protection if you believe that the person in (2) might take the children without your permission and hide them from you.)

1 Your Name: James Cole

2 Name of Person You Want Protection From: Brittiny E Little

3 Reasons I Am Afraid of Child Abduction

(In this section, explain to the judge why you believe there is a risk that the person in (2) will take your children without your permission and hide them from you. The judge will use the information below to decide whether to grant any orders you request on page 2.)

The person in (2) (check all that apply):

- a. Has violated or threatened to violate a custody or visitation order.
b. Does not have strong ties to California.
c. Has done things recently that make it easy to take our children, like (check all that apply):
d. Has a history of:
e. Has a criminal record
f. Has strong ties in:
g. Is a citizen of another country (list country or countries):
Does the person in (2) have strong family, cultural, or emotional ties to that country? Yes No

Give examples or reasons for your answers above:

Brittiny has threatened to take away Giannis and not tell me where they are.

The statements made above are made under penalty of perjury as declared on the request form (DV-100, (32)).

This is not a Court Order.



### Orders a Judge Can Make to Prevent Abduction

In this section, you can ask for orders to prevent the person in (2) from abducting (kidnapping) your children.

*Check all the orders that you want a judge to make (order).*

**4**  **Do Not Move With Children Without Permission**

I ask the judge to order that the person in (2) not move with our children without my written permission or the judge's permission.

**5**  **Turn In and Do Not Apply for Passports or Other Important Documents**

I ask the judge to order the person in (2) to not apply for passports or other documents that can be used for travel, like visas and birth certificates, and to turn in the following documents: \_\_\_\_\_ Passports

by (date): \_\_\_\_\_ to (name of person to give documents to): \_\_\_\_\_

**6**  **Provide Travel Plan and Documents**

If the person in (2) is allowed to travel with our children, the person in (2) should be ordered to give me:

*(Check all that apply.)*

Children's travel schedule

Copies of round-trip airline tickets

Addresses and telephone numbers where the children can be reached

An open airline ticket for me in case the children are not returned.

Other (describe): \_\_\_\_\_

**7**  **Notify Other State of Travel Restrictions**

I ask the judge to order the person in (2) to register this order with

(list county and state): \_\_\_\_\_ Pierce County, Washington \_\_\_\_\_ before the children can travel to that state for visits.

**8**  **Notify Foreign Embassy or Consulate of Passport Restrictions**

I ask the judge to order the person in (2) to notify (name of embassy or consulate): \_\_\_\_\_ China, Jamaica, Thailand  
of this order and to file proof of the notification with the court by (date): \_\_\_\_\_

**9**  **Foreign Custody and Visitation Order**

I ask the judge to order the person in (2) to get a custody and visitation order equal to the most recent U.S. order before the child can travel to (list country): \_\_\_\_\_ China, Jamaica, Thailand \_\_\_\_\_ for visits.

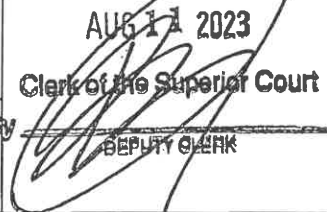
(Note that foreign orders may be changed or enforced depending on the laws of the country.)

**10**  **Post a Bond**

I ask the judge to order the person in (2) to post a bond for \$ \_\_\_\_\_ \$25000.00 \_\_\_\_\_.

If the person in (2) takes the children without my permission, I can use this money to bring the children back.

**This is not a Court Order.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) James Cole 1682 Everglades Dr Milpitas, CA 95035 TELEPHONE NO: 408-204-4296                      FAX NO.(Optional): MOBILE NO: E-MAIL ADDRESS: jamesctcole@gmail.com ATTORNEY FOR (Name): Self-Represented	Reserved for Clerk's Office Stamp  <div style="text-align: center;"> <b>FILED</b>  <b>SAN MATEO COUNTY</b>  <b>AUG 11 2023</b>          Clerk of the Superior Court            DEPUTY CLERK       </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO  <input checked="" type="checkbox"/> Southern Division, 400 County Center, Redwood City, CA 94063 <input type="checkbox"/> Northern Division, 1050 Mission Road, South San Francisco, CA 94080	
<b>PETITIONER:</b> James Cole  <b>RESPONDENT:</b> Brittiny E Little	
<b>DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDERS 23 FAM 01074</b>	

I, the undersigned declare:

1. I am in this case the (choose one):
 

A. <input type="checkbox"/> attorney for Petitioner	B. <input type="checkbox"/> attorney for respondent	C. <input type="checkbox"/> attorney for child(ren)
B. <input checked="" type="checkbox"/> self-represented Petitioner	C. <input type="checkbox"/> self-represented Respondent	
C. <input type="checkbox"/> other (explain):		
  
2. The opposing party is represented by an attorney:  Yes  No  
 The minor child(ren) is/are represented by an attorney:  Yes  No  
 [If you checked "Yes", fill in the attorney's name, address, and telephone number. If you checked "No", fill in the other party's name, address and telephone number.]  
 Party/Attorney Name: Brittiny E Little  
 Address and Telephone number: 333 Main Street Apt 109 Redwood City, CA 94063 949-377-7442  
  
 Child(ren)'s attorney name:  
 Address and Telephone number:
  
3. **NOTICE TO OPPOSING PARTY REQUIREMENT**
  - A. I gave reasonable notice of my Ex Parte Application for Orders (see CRC 5.151) to the opposing party and/or their attorney of record on Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 in the following manner:  
 Personal delivery    Fax (by prior agreement)    In person    By telephone  
 Other: \_\_\_\_\_
  
  - B.  I served copies of the Ex Parte Application and supporting papers to the opposing party and/or their attorney of record on Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 in the following manner:  
 Personal delivery    Fax (by prior agreement)    In person    By telephone

**DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDERS**



Other:

CASE NAME: James Cole Brittiny E Little	CASE NUMBER: 1674
--	-------------------

- C.  I have been informed that the opposing party has received my Application and supporting papers and will be opposing my request for Ex Parte Orders. (describe):
- D. I HAVE NOT given notice of the ex parte request for orders because (Check all that apply. You must explain below):
- This is an application for Domestic Violence Prevention Act (DVPA) restraining orders.
  - Great or irreparable injury will result to me before the matter can be heard on notice (explain below).
  - A good faith effort was made to notify the opposing party but notice was unable to be given (explain below):
- The other party agrees to the orders requested.
  - No significant direct burden or inconvenience to the adverse party will be likely to result from the orders sought herein(explain below.)
  - I fear for my physical safety (and that of my children, if applicable).
  - Other:

**Explanation:**

- E.  A hearing between the parties is already set on \_\_\_\_\_ at \_\_\_\_\_ AM  PM and I am asking that this motion be heard at the same time.

4. There are the following (temporary) (permanent) orders currently in effect (list orders and dates issued):

5. The parties  have  have not been to Family Court Services for mediation. If yes, mediation was held on \_\_\_\_\_, and the mediator was \_\_\_\_\_  
 The recommendation of the mediator was:

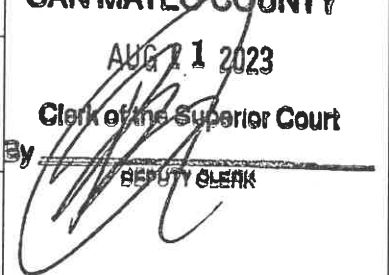
I declare under penalty of perjury that the foregoing is true and correct.

Date: August 10, 2023 \_\_\_\_\_

James Cole \_\_\_\_\_  
[Type or Print Name]

/s/ James Cole \_\_\_\_\_  
[Signature]

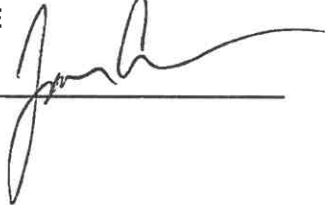
**DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDERS**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) James Cole 1682 Everglades Dr Milpitas, CA 95035 TELEPHONE NO: 408-204-4296                      FAX NO.(Optional): MOBILE NO: E-MAIL ADDRESS: jamesctcole@gmail.com ATTORNEY FOR (Name): Self-Represented	FOR COURT USE ONLY  <b>FILED</b> <b>SAN MATEO COUNTY</b>  AUG 11 2023 Clerk of the Superior Court by  DEPUTY CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO  <input checked="" type="checkbox"/> Southern Division, 400 County Center, Redwood City, CA 94063 <input type="checkbox"/> Northern Division, 1050 Mission Road, South San Francisco, CA 94080	
<b>PETITIONER:</b> James Cole  <b>RESPONDENT:</b> Brittiny E Little	CASE NUMBER: <b>23FAM01674</b>
<b>STIPULATION FOR COURT COMMISSIONER TO ACT AS TEMPORARY JUDGE FOR ALL PURPOSES</b>	

The Court Commissioner assigned to your case is a judicial officer of the San Mateo County Superior Court and may act as a Temporary Judge if all the parties agree in writing. (*California Constitution, Article 6 §§ 21, 22; Code of Civil Procedure § 259(d)*)

Your signature below means you agree that a Court Commissioner shall act as a Temporary Judge for all purposes in this matter until the final determination of the case, including all post-trial matters.

Dated: August 10, 2023

**SIGNATURE**  
 /s/ James Cole 

**PRINTED NAME OF PARTY OR ATTORNEY**  
 James Cole

Self-represented or  Attorney For:  
 Petitioner/Plaintiff  Respondent/Defendant

Self-represented or  Attorney For:  
 Petitioner/Plaintiff  Respondent/Defendant