

PAUL P. LEENDERTZ FOR MINOR:

KATYA G. P. ~~KARPENKO~~
Leendertz

Plaintiff

v.

MARINA P. KARPENKO

Defendant

FOR YOUR SAFETY **FILED**
THIS ORDER MUST
BE WITH YOU AT
ALL TIMES 2010 MAR 25 P 3:06

CLERK OF
COMMON PLEAS COURT
CIVIL DIVISION
NORTHAMPTON COUNTY PA

: IN THE COURT OF COMMON
: PLEAS
: NORTHAMPTON COUNTY,
: PENNSYLVANIA
:
: CIVIL - PROTECTION FROM
: ABUSE
:
: No. C0048PF2010000209
:
:

PLAINTIFF'S COPY NOTICE OF HEARING AND ORDER

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claim set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL order may be entered against you granting the relief requested in the petition. In particular, you may be evicted from your residence, be prohibited from possessing any firearm, other weapon, ammunition or any firearm license, and lose other important rights, including custody of your children. Any protection order granted by a court may be considered in subsequent proceedings under Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, including child custody proceedings under Chapter 53 (relating to custody).

ATTORNEY
AT-LAW
PROSECUTOR
NORTHAMPTON COUNTY
PA

A hearing on the matter is scheduled for the **9th Day of April, 2010** at **11:00AM**, in Courtroom #4, **MOTIONS COURT** at **NORTHAMPTON COUNTY GOVERNMENT CENTER COURTHOUSE, 669 WASHINGTON STREET, EASTON PA 18042**.

If an order of protection has been entered, you **MUST** obey the order until it is modified or terminated by the court after notice and hearing. If you disobey this order, the police or sheriff may arrest you. Violation of this order may subject you to a charge of indirect criminal contempt which is punishable by a fine of up to \$1,000 and/or up to six months in jail under 23 Pa.C.S.A. §6114. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. Under federal law, 18 U.S.C. §2265, this order is enforceable anywhere in the United States, tribal lands, U.S. Territories and the Commonwealth of Puerto Rico. If you travel outside of the state and intentionally violate this order, you may be subject to federal criminal proceedings under the Violence Against Women Act. 18 U.S.C. §§2261-2262.

If this order directs you to relinquish any firearm, other weapon, ammunition or any firearm license to the sheriff, you may do so upon service of this order. As an alternative, you may relinquish any firearm, other weapon, or ammunition listed herein to a third party provided you and the third party first comply with all requirements to obtain a safekeeping permit. 23 Pa.C.S.A. §6108.3. You must relinquish any firearm, other weapon, ammunition or any firearm license listed in the order no later than 24 hours after service of the order. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, you must provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after service of the order. Failure to timely relinquish any firearm, other weapon, ammunition or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa. C.S.A. §6105.

NOTICE: Even if this order does not direct you to relinquish firearms, you may be subject to federal firearms prohibitions and federal criminal penalties under 18 U.S.C. §922(g)(8).

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING. THE COURT WILL NOT, HOWEVER, APPOINT A LAWYER FOR YOU. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.

County Lawyer Referral Service
LAWYER REFERRAL SERVICES
155 SOUTH NINTH STREET, EASTON PA 18042
(610) 258-6333

Distribution to:

PLAINTIFF

DEFENDANT

PENNSYLVANIA STATE POLICE:BETHLEHEM

POLICE OF RESIDENCE FOR PLAINTIFF

**TEMPORARY PROTECTION
FROM ABUSE ORDER**

Amended Order Continued Order

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON
COUNTY, PENNSYLVANIA
NO. **C0048PF2010000209**

I. PLAINTIFF

PAUL **P.** **LEENDERTZ** **4/24/1953**
First Middle Last Suffix Plaintiff DOB

Name(s) of All protected persons, including minor child/ren and DOB.

KATYA G. P. KARPENKO June 13, 2001

V.

DEFENDANT

MARINA **P.** **KARPENKO**
First Middle Last Suffix

Defendant's Address:

WEERDESTEIN 135

EDE CL 6714

DEFENDANT IDENTIFIERS			
DOB	11/29/1974	HEIGHT	5 ft. 7 in.
SEX	Female	WEIGHT	170
RACE	White	EYES	Brown
HAIR	Brown		
SSN			
DRIVERS LICENSE #			
EXP DATE		STATE	

CAUTION:

- Weapon Involved
- Weapon Present on the Property
- Weapon Ordered Relinquished

The Court Hereby Finds: That it has jurisdiction over the parties and subject matter, and the Defendant will be provided with reasonable notice and opportunity to be heard.

The Court Hereby Orders:

- Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.
- Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.
- Additional findings of this order are set forth below.

Order Effective Date

Order Expiration Date

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 23 Pa.C.S.A. § 6114. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S.A. § 6108 (g). If Defendant is required to relinquish any firearms, other weapons or ammunition or any firearm license, those items must be relinquished to the sheriff within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. § § 2261-2262.

AND NOW, on **25th Day of March, 2010** upon consideration of the attached Petition for Protection from Abuse, the court hereby enters the following Temporary Order:

1. Defendant shall not abuse, harass, stalk or threaten any of the above persons in any place where they might be found.
2. Defendant is evicted and excluded from the residence at:
**7347 TANGLEWOOD ROAD
NORTHAMPTON PA 18067**

or any other permanent or temporary residence where Plaintiff or any other person protected under this order may live. Plaintiff is granted exclusive possession of the residence. Defendant shall have no right or privilege to enter or be present on the premises of Plaintiff or any other person protected under this order.

3. Except for such contact with the minor children as may be permitted under paragraph 5 of this order, Defendant is prohibited from having **ANY CONTACT** with Plaintiff, or any other person protected under this order either directly or indirectly, at any location, including but not limited to any contact at Plaintiff's or other protected party's school, business, or place of employment. Defendant is specifically ordered to stay away from the following locations for the duration of this order.

Defendant (either directly or indirectly through a third party) shall not contact Plaintiff, or any other person protected under this order, by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission.

4. Except for such contact with the minor child/ren as may be permitted under paragraph 5 of this order, Defendant shall not contact Plaintiff, or any other person protected under this order, by telephone or by any other means, including through third persons.

5. CUSTODY

There is a current custody order as to the child/ren of the parties
LEHIGH COUNTY

THIS ORDER SUPERSEDES ANY PRIOR ORDER RELATING TO CHILD CUSTODY.

Until the final hearing, all contact between Defendant and the child/ren shall be limited to the following:

- **Defendant shall have no partial physical custody/visitation rights.**

Pending the outcome of the final hearing in this matter, Plaintiff is awarded temporary custody of the following minor child/ren:

1. **KATYA G. P.** ~~LEENDERTZ~~ *Leendertz/LE*

The local law enforcement agency in the jurisdiction where the child/ren are located shall ensure that the child/ren are placed in the care and control of Plaintiff in accordance with the terms of this order.

6. The following additional relief is granted:

Defendant is prohibited from stalking, as defined in 18 Pa.C.S.A. § 2709.1, or harrassing, as described in 18 Pa.C.S.A. § 2709, the following family and household members of Plaintiff:

Name	Relationship	Address
PAUL AND OLGA LEENDERTZ	PARENTS	

7. A certified copy of this order shall be provided to the sheriff or police department where Plaintiff resides and

any other agency specified hereafter:

PSP:BETHLEHEM

- 8. The sheriff, police or other law enforcement agencies are directed to serve Defendant with a copy of the petition, any order issued, and the order for hearing. Petitioner will inform the designated authority of any addresses, other than Defendant's residence, where Defendant can be served.
- 9. THIS ORDER APPLIES IMMEDIATELY TO DEFENDANT AND SHALL REMAIN IN EFFECT UNTIL **MARCH 25, 2013** OR UNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING.

NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 23 Pa.C.S.A. § 6114. Consent of Plaintiff to Defendant's return to the residence shall **not** invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 23 Pa.C.S.A. § 6108 (g). If Defendant is required to relinquish any firearms, other weapons or ammunition or any firearm license, those items must be relinquished to the sheriff within 24 hours of the service of this order. As an alternative, Defendant may relinquish any firearm, other weapon or ammunition listed herein to a third party provided Defendant and the third party first comply with all requirements to obtain a safekeeping permit. If, due to their current location, firearms, other weapons or ammunition cannot reasonably be retrieved within the time for relinquishment, Defendant shall provide an affidavit to the sheriff listing the firearms, other weapons or ammunition and their current location no later than 24 hours after the service of this order. Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. § § 2261-2262.

NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiff's residence OR any location where a violation of this order occurs OR where Defendant may be located. If Defendant violates Paragraphs 1 through 5 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff.

Subsequent to an arrest, the law enforcement officer or sheriff shall seize all firearms, other weapons and ammunition in Defendant's possession which were used or threatened to be used during the violation of the protection order or during prior incidents of abuse and any other firearms in Defendant's possession. Any firearm, other weapon, ammunition or any firearm license must be delivered to the sheriff's office of the county which issued this order, which office shall maintain possession of the firearms, other weapons and ammunition until further order of this court, unless the weapon/s are evidence of a crime, in which case, they shall remain with the law enforcement agency whose officer or sheriff made the arrest.

No. C0048PF2010000209

BY THE COURT:

Wesley J. Corral

Judge

March 25, 2010

Date

Distribution to:
PLAINTIFF
DEFENDANT
PENNSYLVANIA STATE POLICE:BETHLEHEM
POLICE OF RESIDENCE FOR PLAINTIFF

**PETITION FOR PROTECTION
FROM ABUSE**

IN THE COURT OF COMMON PLEAS OF
NORTHAMPTON COUNTY, PENNSYLVANIA
NO. C0048PF201000209

1. PLAINTIFF

PAUL P. **LEENDERTZ** April 24, 1953
First Middle Last Suffix Plaintiff DOB

Plaintiff's Address:

Plaintiff's address is confidential or Plaintiff's address is:
7347 TANGLEWOOD ROAD, NORTHAMPTON, PA 18067

V.

2. DEFENDANT

MARINA P. **KARPENKO**
First Middle Last Suffix

Defendant's Address:

WEERDESTEIN 135 EDE CL, 6714

DEFENDANT IDENTIFIERS			
DOB	11/29/1974	HEIGHT	5 ft. 7 in.
SEX	Female	WEIGHT	170
RACE	White	EYES	Brown
HAIR	Brown		
SSN			
DRIVERS LICENSE #			
EXP DATE		STATE	

CAUTION:

- Weapon Involved
 Weapon Present on the Property
 Weapon Requested Relinquished

Defendant's place of employment is: **LIVES IN HOLLAND**

Check here if you have reason to believe that Defendant is a licensed firearms dealer, is employed by a licensed firearms dealer or manufacturer; is employed as a writer, researcher or technician in the firearms or hunting industry or is required to carry a firearm as a condition of employment.

3. I am filing this Petition on behalf of: Myself and/or Another Person

If you checked "myself", please answer all questions referring to yourself as "Plaintiff". If you ONLY checked "another person", please answer all questions referring to that person as the "Plaintiff", and provide your name and address here, as filer, unless confidential.

Filer's Name:

PAUL P. **LEENDERTZ**
First Middle Last Suffix

Filer's address is confidential or Filer's address is:
7347 TANGLEWOOD ROAD, NORTHAMPTON, PA 18067

If you checked "Another Person", indicate your relationship with Plaintiff:

- parent of minor Plaintiff(s)
 applicant for appointment as guardian ad litem of minor Plaintiff(s)
 adult household member with minor Plaintiff(s)
 court appointed guardian of incompetent Plaintiff(s)

4. Name(s) of ALL person(s), including minor children, who seek protection from abuse.

KATYA G. P. KARPENKO

5. The relationship between Plaintiff and Defendant is:

- spouse or former spouse of Defendant
- parent of a child with Defendant
- current or former sexual or intimate partner with Defendant
- child of Plaintiff
- child of Defendant
- family member related by blood (consanguinity) to Defendant
- family member related by marriage or affinity to Defendant
- sibling (person who shares parenthood) of Defendant

Defendant is an **adult**.

6. Plaintiff and Defendant have been involved in the following court actions:

Custody

Other details of the court action are:

LEHIGH COUNTY: CUSTODY-2009

7. Defendant has **not been involved** in a criminal court action.

8. Plaintiff and Defendant are the parents of the following minor child/ren:

a. **KATYA G. P. KARPENKO**

Age:8

Child's address is: **7347 TANGLEWOOD ROAD , NORTHAMPTON, PA 18067**

9. There is an existing court order regarding the custody of Plaintiff's and Defendant's minor children.

The terms of the order are: **FATHER HAS PRIMARY CUSTODY AND SOLE LEGAL MOTHER HAS VISITATION AS AGREED UPON**

County: **LEHIGH**

State: **PA**

10. Plaintiff is seeking an order of child custody as part of this petition.

The following is a list of the children and where they have lived for the past 5 years:

a. **KATYA G. P. KARPENKO**

For the past 5 years, this child has lived with:

LIVED WITH FATHER PAST 11 MONTHS AT 7347 TANGLEWOOD ROAD, NORTHAMPTON; PRIOR WITH MOTHER FOR 4 YEARS IN HOLLAND

11. The following person(s) are known to have or claim a right to custody of each child listed above.

a. **MARTINA P. KARPENKO**

This person's address is: **WEERDESTEN 135 EDE , 6714 CL**

The basis of this person's claim, (and for which child/ren it applies), is as follows:

MOTHER OF CHILD

12. The facts of the most recent incident of abuse are as follows:

On about **Wednesday, July 07, 2010** at approximately **2:00PM**

location: **IN THE CAR**

WE WERE RIDING IN THE CAR AND KATYA WAS JUMPING AROUND IN THE BACK SEAT. I REACHED AROUND AND TOUCHED HER. SHE SAID THAT MARTIN, HER MOTHER'S BOYFRIEND, ALWAYS TOUCHES ME BETWEEN MY LEGS. I TOLD HER I DON'T WANT THAT. SHE SAID THAT MOMMA DOESN'T WANT IT EITHER AND SHE'S ANGRY ABOUT IT. AT THAT TIME I HAD TO WONDER WHAT WAS GOING ON. I HAVE BEEN TAKING HER TO A PSYCHOLOGIST. AFTER I LEFT HER MOTHER, MARINA TOLD HER THAT I WAS A BAD GUY AND WOULD BEAT HER.

13. Prior incidents of abuse that Defendant has committed against Plaintiff or the minor child/ren, (including any threats, injuries, or incidents of stalking) are as follows:

**SHE SPANKED KATYA TO VARIES DEGREES.
SHE SMACKED HER IN THE HEAD.
SHE SMACKED KATYA ANY TIME SHE WAS ANGRY WITH HER.**

14. (a) Has Defendant used or threatened to use any firearms or other weapons against Plaintiff or the minor child/ren?

NO

(b) Other than the firearms, other weapons or ammunition Defendant used or threatened to use against Petitioner or the minor child/ren, does Defendant, to the best of your knowledge or belief, own or possess any additional firearm, other weapon, ammunition or any firearm license?

NO

(c) If the answer to (b) above is "Yes", list any additional firearm, other weapon or ammunition owned by or in the possession of Defendant on Attachment A to Petition, which is incorporated by reference into this petition.

(d) Plaintiff DOES NOT request that the court order Defendant to relinquish firearms, other weapons or ammunition listed on Attachment A to Petition.

15. The sheriff, police department or law enforcement agency that should be provided with a copy of the protection order are:

PSP:BETHLEHEM

16. There is an immediate and present danger of further abuse from Defendant.

17. Plaintiff is asking the court to evict and exclude Defendant from the following residence:

**7347 TANGLEWOOD ROAD
NORTHAMPTON PA 18067**

Owned By:

PAUL LEENDERTZ

18. FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, and AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING:

- a. Restrain Defendant from abusing, threatening, harassing, or stalking Plaintiff and/or the minor child/ren in any place where Plaintiff and/or the child/ren may be found.**
- b. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.**

- c. Award Plaintiff temporary custody of the minor child/ren and place the following restrictions on contact between Defendant and the child/ren:
- d. Prohibit Defendant from having any contact with Plaintiff and/or the minor child/ren, either in person, by telephone, or in writing, personally or through third persons, including but not limited to any contact at Plaintiff's school, business, or place of employment, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren.
- e. Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this petition, except as the court may find necessary with respect to partial custody and/or visitation with the minor child/ren.

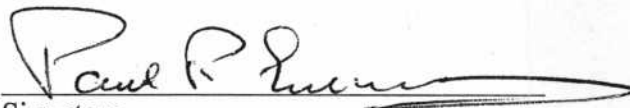
The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Name	Relationship	Address
PAUL AND OLGA LEENDERTZ	PARENTS	

- f. Order Defendant to pay the costs of this action, including filing and service fees.
- g. Order the following additional relief, not listed above:
- h. Grant such other relief as Plaintiff requests and/or the court deems appropriate.
- i. Order the police, sheriff or other law enforcement agency to serve Defendant with a copy of this petition, any order issued, and the order for hearing. Plaintiff will inform the designated authority of any addresses, other than the Defendant's residence, where Defendant can be served.

VERIFICATION

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the Penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities


Signature

3/25/2010
Date