

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL
CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA

Case No.: DVCE 24-021382

Division: (59)

ALEXANDRIA MARIE DZIMITOWICZ,
Petitioner,

and

NOAH SMITH,
Respondent.

**ORDER SETTING HEARING ON PETITION FOR INJUNCTION
FOR PROTECTION AGAINST () DOMESTIC VIOLENCE () REPEAT VIOLENCE
() DATING VIOLENCE () SEXUAL VIOLENCE () STALKING
WITHOUT ISSUANCE OF AN INTERIM TEMPORARY INJUNCTION**

A Petition for Injunction for Protection Against: Domestic Violence filed under section 741.30, Florida Statutes; Repeat, Dating, or Sexual Violence filed under section 784.046, Florida Statutes; or Stalking filed under section 784.0485, Florida Statutes, has been reviewed. This Court has jurisdiction of the parties and of the subject matter. Upon review of the Petition, this Court concludes that a Temporary Injunction for Protection Against Domestic Violence; Repeat, Dating, or Sexual Violence; or Stalking, pending the hearing scheduled below, **NOT** be entered at this time but that an injunction may be entered after the hearing, depending on the findings made by the Court at that time.

FINDINGS:

The Court finds that based upon the facts, as stated in the Petition alone and without a hearing on the matter, there is no appearance of an immediate and present danger of domestic violence; repeat, dating or sexual violence, or stalking, or that stalking exists. Therefore, there is not a sufficient factual basis upon which the court can enter a Temporary Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking, prior to a hearing. A hearing is scheduled on the Petition for Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking, in Section II of this Order. Petitioner may amend or supplement the Petition at any time to state further reasons why a Temporary Injunction should be ordered which would be in effect until the hearing scheduled below.

NOTICE OF HEARING

Petitioner and Respondent are ordered to appear and testify at a hearing on the Petition for Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking on: 12/2/24, at 2:30 PM, at Judge M. KAPLAN, ROOM 10150, 201 SE 6th St., Ft. Lauderdale, FL, at which time the

Florida Supreme Court Approved Family Law Form 12.980(b)(1), Order Setting Hearing on Petition for Injunction for Protection Against Domestic Violence, Repeat Violence, Dating Violence, Sexual Violence, or Stalking, without Issuance of an Interim Temporary Injunction (06/18)

Court will consider whether a Final Judgment of Injunction for Protection Against Domestic, Repeat, Dating, or Sexual Violence, or Stalking should be entered. If entered, the injunction will remain in effect until a fixed date set by the Court or until modified or dissolved by the Court. At the hearing, the Court will determine whether other things should be ordered, including, for example, such matters as time-sharing and support, if appropriate.

If Petitioner and/or Respondent do not appear, orders may be entered, including entry of a permanent injunction and the imposition of court costs. Petitioner and Respondent will be bound by the terms of any injunction or order issued at the final hearing.

IF EITHER PETITIONER OR RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, HE OR SHE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

All witnesses and evidence, if any, must be presented at this time. In cases where temporary support issues have been alleged in the pleadings, each party is ordered to bring his or her financial affidavit (Florida Family Law Rules of Procedure Form 12.902(b) or (c)), tax return, pay stubs, and other evidence of financial income to the hearing.

DOMESTIC VIOLENCE AND STALKING HEARINGS:

Court proceedings concerning domestic violence or stalking are required by law to be recorded. This recording may be by electronic means. No written transcript of the Court's recording will be provided to the parties. Either party may arrange for a court reporter to prepare a written transcript of the hearing at that party's expense.

REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE HEARINGS:

The law does not require court proceedings concerning repeat, dating, or sexual violence to be recorded; however, either party may arrange for a court reporter to record the hearing and prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provisions of certain assistance. Please contact: A.D.A. Coordinator, Rm. 20140, 201 SE 6th St., Ft. Lauderdale, 954-831-7721 at least 7 days before your scheduled court appearance , or immediately upon receiving this

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**notification if the time before the scheduled appearance is less than 7 days;
if you are hearing or voice impaired, call 711.**

Nothing in this order limits Petitioner's rights to dismiss the petition.

DONE AND ORDERED in Ft. Lauderdale, Broward County, Florida, on 11/22/24.


CIRCUIT JUDGE

COPIES TO:

Sheriff of Broward County

Petitioner:

☐ by U. S. Mail
☐ by hand delivery in open court
☐ by e-mail to designated e-mail address(es)

~~Respondent:~~

☒ forwarded to sheriff for service *BSO*
☐ State Attorney's Office
☐ Other: _____

I CERTIFY the foregoing is a true copy of the original **Order Setting Hearing on Petition for Injunction** as it appears on file in the office of the Clerk of the Circuit Court of Broward County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
{Deputy Clerk or Judicial Assistant}