

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

Alexandria Marie Dzimitowicz

Case No.: DVCE 24 - 21382
Division: 59

Petitioner,

and

Noah Smith

Respondent

**PETITION FOR INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE**

I, {full legal name} Alexandria Marie Dzimitowicz, declare under penalties of perjury,
that the following statements are true:

SECTION I. PETITIONER

(This section is about you. It must be completed. However, if you fear that disclosing your address to the respondent would put you in danger, you should complete and file a Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write "confidential" in the space provided on this form for your address and telephone number.)

- Petitioner's current address is: {street address} 4 West Las Olas Blvd, Apt 308
{city, state, and zip code} Fort Lauderdale FL 33301
Telephone Number: {area code and number} 708-214-5109
Physical description of Petitioner:
Race: Sex: Male Female ☒ Date of Birth: 01/31/1994
- Petitioner's attorney's name, address, and telephone number is: None
(If you do not have an attorney, write none.)

SECTION II. RESPONDENT

(This section is about the person you want to be protected from. It must be completed.)

- Respondent's current address is: {street address, city, state, and zip code} 16403 Ruby Lake Weston FL 33331
Respondent's Driver's License number is: {if known}

2. Respondent is: *{Indicate all that apply}*

a. _____ the spouse of Petitioner.

Date of Marriage: _____

b. _____ the former spouse of Petitioner.

Date of Marriage: _____

Date of Dissolution of Marriage: _____

c. _____ related by blood or marriage to Petitioner.

Specify relationship: _____

d. ☒ a person who is or was living in one home with Petitioner, as if a family.

e. ☒ a person with whom Petitioner has a child in common, even if Petitioner and Respondent never were married or living together.

3. Petitioner has known Respondent since *{date}* approximately 2.5 years ago.

4. Respondent's last known place of employment: N/A

Employment address: N/A

Working hours: _____

5. Physical description of Respondent:

Race: White Sex: Male ☒ Female _____ Date of Birth: 03/11/1999

Height: 5'11" Weight: 165 Eye Color: Green Hair Color: Brown

Distinguishing marks or scars: N/A

Vehicle: (make/model) N/A Color: _____ Tag Number: _____

6. Other names Respondent goes by (aliases or nicknames): N/A

7. Respondent's attorney's name, address, and telephone number is: Unknown

(If you do not know whether Respondent has an attorney, write unknown. If Respondent does not have an attorney, write none.)

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence against Respondent in this or any other court?

☐ Yes ☒ No If yes, what happened in that case? *{Include case number, if known}*

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence against Petitioner in this or any other court?

☐ Yes ☒ No If yes, what happened in that case? *{Include case number, if known}*

3. Describe **any other** court case that is either going on now or that happened in the past, including a dissolution of marriage, paternity action, or child support enforcement action, **between Petitioner and Respondent** (Include city, state, and case number, if known): _____
N/A

4. Petitioner is either a victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence because respondent has: *{Mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or time-sharing exchange}*

- a. ☒ committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- b. ☒ previously threatened, harassed, stalked, or physically abused the petitioner.
- c. ☒ attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
- d. ☒ threatened to conceal, kidnap, or harm the petitioner's child or children.
- e. ☐ intentionally injured or killed a family pet.
- f. ☒ used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- g. ☒ physically restrained the petitioner from leaving the home or calling law enforcement.
- h. ☒ a criminal history involving violence or the threat of violence (if known).
- i. ☐ another order of protection issued against him or her previously or from another jurisdiction (if known).
- j. ☒ destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.
- k. ☒ engaged in a pattern of abusive, threatening, intimidating, or controlling behavior composed of a series of acts over a period of time, however short.
- l. ☒ engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.

Below is a brief description of the latest act of violence or threat of violence that causes Petitioner to honestly fear imminent domestic violence by Respondent.

{Please begin your narrative below. Use additional pages if necessary but please do not write in the margins or on the back of any of the pages Please indicate below if you are using additional pages.}

On {date} 10/13/2024, at {location} 4 W LAS OLAS BLVD APT 308 Ft. Lauderdale FL 33301
Respondent: **Noah Smith**

I am Physically Disabled, Noah would take my phone and leave me stranded in bed without anything unless I was "nice" to him. On this day, he left me and stole my money & Debit card, left the house to go to buy kratom, weed, drugs, alcohol, etc. I called my caregiver to come in. We decided to not allow him back into the house due to intoxication, stealing from me and leaving me stranded and alone. He then proceeded to attempt to bust my door down for over an hour, saying and threatening me and himself. He kicked and pounded. He was telling me to open the door or lose my money. We never opened the door and he finally left after destroying my card and door. 10/13/2024

_____ Please indicate here if you are attaching additional pages to continue these facts.

5. Additional Information

{Indicate all that apply}

- a. _____ Other acts or threats of domestic violence as described on attached sheet.
- b. ☒ This or other acts of domestic violence have been previously reported to {person or agency}: Fort Lauderdale PD and CPS
- c. _____ Respondent owns, has, and/or is known to have guns or other weapons.
Describe weapon(s): _____
- d. ☒ Respondent has a drug problem.
- e. ☒ Respondent has an alcohol problem.
- f. ☒ Respondent has a history of mental health problems. If checked, answer the following, if known:
Has Respondent ever been the subject of a Baker Act proceeding? ☒ Yes ☐ No
Is Respondent supposed to take medication for mental health problems? ☒ Yes ☐ No
If yes, is Respondent currently taking his/her medication? ☐ Yes ☒ No

SECTION IV. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME (Complete this section only if you want the Court to grant you temporary exclusive use and possession of the home that you share with the Respondent.)

1. Petitioner claims the following about the home that Petitioner and Respondent share or that Petitioner left because of domestic violence:

{Indicate all that apply}

- a. _____ Petitioner needs the exclusive use and possession of the home that the parties share at {street address} 4 West Las Olas Blvd, Apt 308
{city, state, zip code} Fort Lauderdale FL 33301

4. Temporary Parenting Plan and Temporary Time-Sharing Schedule

{Indicate all that apply}

- a. ☐ Petitioner requests that the Court provide a temporary parenting plan, including a temporary time-sharing schedule, with regard to the minor child or children of the parties, as follows: _____

- b. _____ through a responsible person designated by the Court. The following person is suggested as a responsible person for purposes of such exchange. *{Explain}*: _____

- c. ☐ Petitioner requests that the Court limit time-sharing by Respondent with the minor children. *{Explain}*: _____

- d. ☒ Petitioner requests that the Court **prohibit** time-sharing by Respondent with the minor children because Petitioner genuinely fears that Respondent imminently will abuse, remove, or hide the minor children from Petitioner. *{Explain}*: _____

- e. ☐ Petitioner requests that the Court allow only supervised time-sharing by Respondent with the minor children. *{Explain}*: _____

Supervision should be provided by a Family Visitation Center, or other *(specify)*: _____

SECTION VI. EXCLUSIVE CARE, POSSESSION, OR CONTROL OF FAMILY PET(S) *(Complete this section only if you are seeking exclusive care, possession, or control of an animal owned, possessed, harbored, kept, or held by you (the Petitioner), the Respondent, or a minor child residing in either your residence or household or Respondent's residence or household. The court may order the Respondent to have no contact with the animal and may prohibit the Respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal. You may not request to have exclusive care, possession, or control of an animal owned primarily for a bona fide agricultural purpose, as defined in section 193.461, Florida Statutes, or a service animal, as defined in section 413.08, Florida Statutes, if Respondent is the service animal's handler.) {Indicate all that apply}.*

1. ☐ Petitioner requests to have exclusive care, possession, and control of the following animal(s) which are owned, possessed, harbored, kept, or held by Petitioner, Respondent, or a minor child residing in Petitioner's or Respondent's residence or household: _____

2. ☐ Petitioner requests that Respondent have no contact with the following animal(s) and be prohibited from taking, transferring, encumbering, concealing, harming, or otherwise disposing of them

SECTION VII. TEMPORARY SUPPORT *Complete this section only if you are seeking financial support from the Respondent. You must also complete and file a Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if you are seeking child support. A Child Support Guidelines Worksheet, Florida Family Law Rules of*

Procedure Form 12.902(e), must be filed with the court at or prior to a hearing to establish or modify child support.)

{Indicate all that apply}

1. ☒ Petitioner claims a need for the money he or she is asking the Court to make Respondent pay, and that Respondent has the ability to pay that money.
2. ☐ Petitioner requests that the Court order Respondent to pay the following temporary alimony to Petitioner. (Petitioner must be married to Respondent to ask for temporary alimony.) Temporary Alimony Requested \$ _____ every: week other week month.
3. ☒ Petitioner requests that the Court order Respondent to pay the following temporary child support to Petitioner. (The Respondent must be the natural parent, adoptive parent, or guardian by court order of the minor children for the court to order the Respondent to pay child support.) Temporary child support is requested in the amount of \$ _____ every: week other week month.

SECTION VIII. INJUNCTION (This section summarizes what you are asking the Court to include in the injunction. This section must be completed.)

1. Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against domestic violence that will be in place from now until the scheduled hearing in this matter.
2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a final judgment on injunction prohibiting Respondent from committing any acts of domestic violence against Petitioner and:
 - a. prohibiting Respondent from going to or within 500 feet of any place the Petitioner lives;
 - b. prohibiting Respondent from going to or within 500 feet of the Petitioner's place(s) of employment or school; the address of Petitioner's place(s) of employment or school is: 4 West Las Olas Blvd 308 Fort Lauderdale FL 33301;
 - c. prohibiting Respondent from contacting Petitioner by mail, by telephone, through another person, or in any other manner;
 - d. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle;
 - e. prohibiting Respondent from defacing or destroying Petitioner's personal property;

{Indicate all that apply}

- f. ☒ prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's minor children must go often (include address):

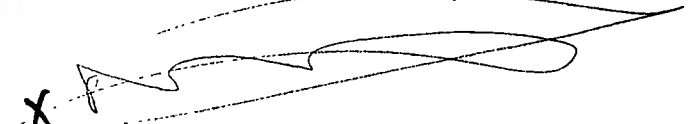
- g. ☐ granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share;
- h. ☒ granting Petitioner on a temporary basis 100% of the time sharing with the parties' minor children;

- i. establishing a temporary parenting plan including a temporary time-sharing schedule for the parties' minor children;
- j. granting Petitioner exclusive care, possession, or control of the animal(s) identified in paragraph 1 of Section VI which are owned, possessed, harbored, kept or held by Petitioner, Respondent, or a minor child residing in Petitioner or Respondent's residence or household;
- k. prohibiting Respondent from having any contact with the animal(s) identified in paragraph 2 of Section VI or from taking, transferring, encumbering, concealing, harming, or otherwise disposing of them;
- l. granting temporary alimony for Petitioner;
- m. granting temporary child support for the minor children;
- n. ☒ ordering Respondent to participate in treatment, intervention, and/or counseling services;
- o. referring Petitioner to a certified domestic violence center; and any other terms the Court deems necessary for the protection of Petitioner and/or Petitioner's children, including injunctions or directives to law enforcement agencies, as provided in Section 741.30, Florida Statutes.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.

Dated: November 22, 2024


X
Signature of Petitioner
Printed Name: Alexandria Marie Dzimitowicz
{Do not write your address if you are filing or have filed a Request for Confidential Filing of Address, Form 12.980(h).}
Address: 4 West Las Olas Blvd, Apt 308
City, State, Zip: Fort Lauderdale FL 33301
Telephone Number: 708-214-5109
Designated E-Mail Address(es): AlexDacyManagement@

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

{fill in all blanks} This form was prepared for the: {choose only one} () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual}

{name of business or individual}

{address}

{city} _____, {state}, _____ {telephone number}

{email address}