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| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Desiree Capuano 9153 N. 84th Dr Peoria, AZ 85345 TELEPHONE NO.: 623-249-5431 FAX NO. (Optional): E-MAIL ADDRESS (Optional): desiree.capuano@gmail.com ATTORNEY FOR (Name): | | FOR COURT USE ONLY ORIGINAL FILED JAN 18 2013 LOS ANGELES SUPERIOR COURT |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 200 West Compton Blvd MAILING ADDRESS: 200 West Compton Blvd CITY AND ZIP CODE: Compton, CA 90220 BRANCH NAME: South Central Branch | | |
| PETITIONER/PLAINTIFF: Richard Riess RESPONDENT/DEFENDANT: Desiree Capuano OTHER PARENT/PARTY: | | |
| REQUEST FOR ORDER <input type="checkbox"/> Child Custody <input type="checkbox"/> Child Support <input type="checkbox"/> Attorney Fees and Costs <input type="checkbox"/> MODIFICATION <input type="checkbox"/> Visitation <input type="checkbox"/> Spousal Support <input checked="" type="checkbox"/> Temporary Emergency Court Order <input checked="" type="checkbox"/> Other (specify): <i>ex Parte</i> <i>re item #8</i> | | |

1. TO (name): Richard Riess
2. A hearing on this Request for Order will be held as follows: If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or at the same time as the hearing (see item 7.)

| | | | |
|------------------------|----------------------|-----------------|--------------------|
| a. Date: 2/6/13 | Time: 8:30 am | Dept.: M | Room.: 1211 |
|------------------------|----------------------|-----------------|--------------------|

b. Address of court ☒ same as noted above ☐ other (specify):

3. Attachments to be served with this Request for Order:

- | | |
|--|--|
| a. A blank Responsive Declaration (form FL-320) | c. <input type="checkbox"/> Completed Financial Statement (Simplified) (form FL-155) and a blank Financial Statement (Simplified) |
| b. <input type="checkbox"/> Completed Income and Expense Declaration (form FL-150) and a blank Income and Expense Declaration | d. <input type="checkbox"/> Points and authorities |
| | e. <input type="checkbox"/> Other (specify): |

Date: **1-14-13** **Desiree Capuano** **Simon Chen**
 (TYPE OR PRINT NAME) (SIGNATURE)

☒ **COURT ORDER**

4. ☒ YOU ARE ORDERED TO APPEAR IN COURT AT THE DATE AND TIME LISTED IN ITEM 2 TO GIVE ANY LEGAL REASON WHY THE ORDERS REQUESTED SHOULD NOT BE GRANTED.
5. ☒ Time for ☒ service ☒ hearing is shortened. Service must be on or before (date): **1/18/13 (BY MAIL)**
6. Any responsive declaration must be served on or before (date): **2/1/13, and filed by the same date.**
7. The parties are ordered to attend mandatory custody services as follows:

8. ☒ You are ordered to comply with the Temporary Emergency Court Orders (form FL-305) attached.
9. ☐ Other (specify):

Date: **1/16/13** **Stephen M. Lowry**
 (SIGNATURE)

STEPHEN M. LOWRY JUDICIAL OFFICER

To the person who received this Request for Order: If you wish to respond to this Request for Order, you must file a Responsive Declaration to Request for Order (form FL-320) and serve a copy on the other parties at least nine court days before the hearing date unless the court has ordered a shorter period of time. You do not have to pay a filing fee to file the Responsive Declaration to Request for Order (form FL-320) or any other declaration including an Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155).

PETITIONER/PLAINTIFF: RICHARD RIESS
 RESPONDENT/DEFENDANT: DESS-REE CAPUANO
 OTHER PARENT/PARTY:

CASE NUMBER:

TD 035397

TEMPORARY EMERGENCY COURT ORDERS
Attachment to Request for Order (FL-300)

The court makes the following orders, which are effective immediately and until the hearing:

☐ **PROPERTY RESTRAINT**

- a. ☐ Petitioner ☐ Respondent ☐ Claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
☐ The other party is to be notified of any proposed extraordinary expenditures, and an accounting of such is to be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor child or children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2. ☐ **PROPERTY CONTROL**

- a. ☐ Petitioner ☐ Respondent is given the exclusive temporary use, possession, and control of the following property that the parties own or are buying (specify):
- b. ☐ Petitioner ☐ Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | Debt | Amount of payment | Pay to |
|------|-------------------|--------|
|------|-------------------|--------|

3. ☒ **MINOR CHILDREN**

- a. ☐ Petitioner ☒ Respondent will have the temporary ^{sole,} physical custody, care, and control of the minor child of the parties ☒ subject to the other party's rights of visitation as follows:
NO VISITATION PRIOR TO THE 2/6/13 HEARING ON Respondent's my
EX PARTE OSC.
- b. ☒ Petitioner ☐ Respondent must not remove the minor child or children of the parties
- ☐ from the state of California.
 - ☐ from the following counties (specify):
 - ☒ other (specify): From the State of ARIZONA where he is presently residing with the Respondent in the City of Peoria, Ariz
- c. ☐ Child abduction prevention orders are attached (see form FL-341(B)).
- d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
- (2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- (3) Country of habitual residence: The country of habitual residence of the child or children is ☒ the United States of America ☐ other (specify):
- (4) Penalties for violating this order: If you violate this order, you may be subject to civil or criminal penalties or both.

4. ☒ **OTHER ORDERS (specify):** Respondent may appear at the 2/6/13 hearing via Amey
over Call; and, Petitioner may do likewise.
- ☒ Additional orders are listed on Attachment 4.

Date: 1/16/13

JUDGE OF THE SUPERIOR COURT

Stephen M. Lowry
STEPHEN M. LOWRY

5. The date of the court hearing is (insert date when known): 2/6/13

CLERK'S CERTIFICATE

I certify that the foregoing is a true and correct copy of the original on file in my office.

[SEAL]

Date:

JOHNA CLARKE

Clerk, by

Deputy