

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR DADE COUNTY, FLORIDAFRANTZ PIERRE
Petitioner,v.
KETLEY JOACHIM
Respondent.☒ DOMESTIC VIOLENCE DIVISION
☐ FAMILY DIVISION

Case No. 11-009036-FC-04

PETITION FOR INJUNCTION
FOR PROTECTION AGAINST
REPEAT VIOLENCEFILED FOR REVIEW
2011 MAR 23 AM 9:56
CLERK OF DISTRICT COURT
DADE COUNTY, FLA.
2010 07 07 11:15

BEFORE ME, the undersigned authority, personally appeared the Petitioner, FRANTZ PIERRE, who has been sworn and who states:

- Petitioner resides at: 2120 NE 171 STREET, NORTH MIAMI BCH, FL 33162-
- Respondent resides at: 210 NE 170 STREET NORTH MIAMI BCH, FL 33162-
- Filing fees: Pursuant to section 784.046(3)(b) Florida Statutes, no filing fees may be assessed.
- The name and address of Respondent's last known place of employment or school is:
UNKNOWN, MIAMI, FL
- Petitioner is employed or attends school at:
DADE COUNTY PUBLIC SCHOOL, 1400 BISCAYNE BLVD, MIAMI, FL 33137-

(DO NOT ENTER IF PLACE OF EMPLOYMENT OR SCHOOL TO BE KEPT CONFIDENTIAL, FOR SAFETY.)

- Physical description of Respondent:

Date of birth	01/03/1962	Social Security #	UNKNOWN
Race	BLACK	Sex	FEMALE
Height	5 ft. 5 in.	Weight	190 lbs.
Hair color	BLACK	Eye color	BLACK

Distinguishing marks or scars: NONE

Aliases (other names) Respondent uses or has used: UNKNOWN
Nickname(s): NONE

- Respondent's vehicle make, model, year, color and tag:
NISSAN WHITE TAG UNKNOWN PATHFINDER
- Is Respondent in jail? No
Date of Arrest:
Jail # Cell #

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9. The following describes any other court cases, including family, civil, criminal, dependency or delinquency (juvenile), where the Petitioner and Respondent are involved (include case numbers):

10. Has the Petitioner ever gotten or tried to get an Injunction for Protection against the Respondent in this or any other court? **No**

If YES, list case number(s) and what happened in that/those case(s):

11. Has the Respondent ever gotten or tried to get an Injunction for Protection against Petitioner in this or any other court? **No**

If YES, list case number(s) and what happened in that/those case(s):

12. Respondent has directed at least ONE (1) incident of stalking or TWO (2) incidents of violence as defined by §784.046 Florida Statutes at Petitioner or a member of Petitioner's immediate family. One of these two (2) incidents of violence has occurred within six (6) months of the date of filing of this Petition and are described as follows:

The petitioner is a Commissioner for the City of North Miami Beach and the respondent is his opponent. On 3/12/11, at approximately 2:00 p.m. the respondent showed up at the petitioner's residence unannounced. The petitioner was not home at the time. According to the petitioner, his mother in law opened the door to inform the respondent that the petitioner was not home and at that point, the respondent attempted to force her way inside. The petitioner's mother in law struggled and eventually she managed to shut the door and locked it. The respondent remained outside for a while banging on the door, shouting obscenities and derogatory remarks and taking pictures of the petitioner's residence. The petitioner was made aware of the situation and immediately summoned the police then rushed home. North Miami Beach PD responded however the respondent left the scene prior to police arrival. The petitioner was issued case #2011312-12 and urged to seek a protective order. A few hours later, the respondent called the petitioner's aunt and related a threat towards the petitioner and his family "The man I am living with is a bad man and will not have any problem killing Frantz (petitioner) his wife and his five children."

Based on the respondent's recent death threat, the petitioner is in fear for his life and that of his family. The petitioner is desperately requesting the intervention and protection of the court as an avenue to keep the respondent away from him and his family to prevent a tragedy. KM (COC) *F.P.*

13. Petitioner alleges the following additional information:

a. that the Respondent personally owns, possesses, and/or is known to possess a firearm: **Unknown**

If YES, what type(s):

b. that it is currently required for the Respondent to carry/use a firearm in the capacity of his/her job: **No**

c. that the Respondent has a drug problem: **Unknown**

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- d. that the Respondent has an alcohol problem: **Unknown**
- e. that the Respondent has a history of clinically diagnosed mental health problems: **Unknown**
- f. Petitioner has known Respondent since (date): **6 YEARS**

14. SHARED RESIDENCE

The Petitioner claims the following about the home that the Petitioner and Respondent share(d), although not as if a family, or that Petitioner left because of acts of violence:

- a. ☒ [N/A] Petitioner needs the exclusive use and possession of the home that the parties share(d) (although not as if a family) located at: **2120 NE 171 STREET , NORTH MIAMI BCH, FL 33162-**
- b. ☐ [] The home is owned or leased by the Petitioner and Respondent jointly.
☐ [] The home is solely owned or leased by the Petitioner.
☐ [] The home is solely owned or leased by the Respondent.
☐ [] Other:
- c. ☒ [N/A] Petitioner is unable to obtain safe alternative housing because:
- d. ☒ [N/A] Petitioner claims that Respondent has the ability to obtain other housing if removed from the residence.

- 15. ☒ [X] Petitioner genuinely fears violence by the Respondent.
- 16. ☒ [X] Petitioner genuinely fears that Respondent will threaten, harass, or harm Petitioner at work or school.
- 17. ☒ [N/A] Petitioner is a minor and may need a Guardian Ad Litem to represent him/her in this action.

WHEREFORE, the Petitioner asks the Court to give an injunction (mark the appropriate section[s]):

NOTE: The Court may consider the following "Ex parte" (without notice and hearing). This relief may be awarded for up to 15 days.

- a. ☒ [X] Immediately keeping the Respondent from committing any acts of violence and from having any contact with Petitioner.
- b. ☒ [N/A] Giving to the Petitioner the temporary exclusive use and possession of the home that the parties share, although not as if a family, located at **2120 NE 171 STREET , NORTH MIAMI BCH, FL 33162-** and excluding Respondent from the residence and from any future residence of the Petitioner in the State of Florida.
- c. ☒ [X] Excluding the Respondent from entering onto the current residential premises of

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Petitioner, living separately from the Respondent, at **2120 NE 171 STREET , NORTH MIAMI BCH, FL 33162-** or wherever Petitioner may reside in the future in the State of Florida.

d. [X] Keeping the Respondent away from the current place of employment or school of the Petitioner located at, **DADE COUNTY PUBLIC SCHOOL, 1400 BISCAYNE BLVD, MIAMI, FL 33137-** or any future place of employment or school of Petitioner in the State of Florida.

e. [N/A] Keeping the Respondent away from the following places that the Petitioner and/or any named family or household member of Petitioner goes to on a regular basis:

(IDENTIFY ALL PLACES BY NAME, ADDRESS, AND RELATIONSHIP OF PERSON ON PREMISES TO PETITIONER, IF APPLICABLE.)

f. [X] Ordering such other relief as the Court decides is needed to protect a victim of violence, including injunctions or directives to law enforcement agencies.

NOTE: The Court may consider the following only with notice and hearing to the Respondent. These things may be ordered by the Court and remain in effect until modified or dissolved by the judge at either party's request, after further notice and hearing.

g. [X] Continuing the relief requested in a - f above, until modified or dissolved by the Court.

h. [X] Ordering Respondent to go to a batterers' intervention program and/or other treatment.

i. [N/A] Other:

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 HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND I DECLARE THAT EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.011 FLORIDA STATUTES, AND IF I HAVE MADE A KNOWINGLY FALSE STATEMENT, I MAY BE PROSECUTED..

F. P.

Petitioner's Initials

DATED this 18th day of March , 2011.

Petitioner

Frantz Pierre

Name FRANTZ PIERRE

Address 2120 NE 171 STREET , NORTH MIAMI BCH, FL 33162-

Telephone No. (305) 434-6418

(DO NOT ENTER IF ADDRESS AND PHONE TO BE KEPT CONFIDENTIAL, FOR SAFETY.)

RVPETIT.RTF
9/19/03