

_____ County

IN THE MATTER OF:

**ORDER TO ENJOIN INTERFERENCE
WITH PROTECTIVE SERVICES
(Consenting Disabled Adult)**

G.S. 108A-104

Name And Address Of Respondent (Caretaker)

Name And Address Of Disabled Adult

Name And Address Of Petitioner

Name And Address Of Attorney For Petitioner

Telephone Number Of Petitioner

Telephone Number of Petitioner's Attorney

State Bar No.

FINDINGS

This matter coming on for hearing and being heard on the Petition to Enjoin Interference with Protective Services pursuant to G.S. 108A-104 on the date below, the Court finds by clear, cogent and convincing evidence that:

1. The Disabled Adult named above is:
 - A resident of this county or can be found in this county.
 - A disabled adult _____ years of age or a lawfully emancipated minor _____ years of age present in the State of North Carolina and is physically or mentally incapacitated as defined in G.S. 108A-101(d).
 - Is currently in need of protective services and has consented to the provision of protective services by the petitioner.
2. The respondent is the caretaker of the above named Disabled Adult and is unwilling to arrange for the necessary essential services, and is refusing to allow the provision of such services.
3. Reasonable attempts have been made to secure from the respondent, the caretaker of the above named Disabled Adult, consent to the provision of necessary essential services by the petitioner, and that said attempts have been unsuccessful.

CONCLUSIONS OF LAW

Based on the findings, the Court concludes that:

1. This matter is properly before the Court and the Court has subject matter and personal jurisdiction.
2. The petitioner is authorized to bring this action pursuant to G.S. 108A-104 and has met the requirements for this order to be entered.
3. This order is in the best interest of the Disabled Adult.

ORDER

It is ORDERED that:

1. The respondent is enjoined from interfering with the provision of protective services to the above named Disabled Adult who has consented to the provision of protective services as herein ordered.
2. Any law enforcement agency having jurisdiction in _____ County is hereby ordered and directed to assist the petitioner in carrying out this order, to wit, by accompanying the petitioner to the residence of the above named Disabled Adult who has consented to the provision of protective services.
3. Any law enforcement agency having jurisdiction in _____ County is hereby ordered and directed to assist the petitioner in carrying out this order, and assisting with transporting the above named Disabled Adult who has consented to the provision of protective services, from her/his place of residence for the purpose of obtaining all needed essential services.
4. Any law enforcement agency having jurisdiction in _____ County is hereby ordered and directed to assist the petitioner in returning the above named Disabled Adult who has consented to the provision of protective services, to her/his place of residence.

- 5. Any law enforcement agency having jurisdiction in _____ County is authorized and directed to take any such measures or actions as may be necessary to enforce this order.
- 6. The attorney for the petitioner is directed to mail copies of the order to the petitioner, the above named Disabled Adult, the respondent and any law enforcement agency.
- 7. This matter is dismissed.
- 8. Other:

<i>Date</i>	<i>Name Of Presiding District Court Judge</i>	<i>Signature Of Presiding District Court Judge</i>
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