

Petitioner must complete items ① and ② only.

Clerk stamps date here when form is filed.

**① Petitioner**

a. Your Full Name or Name of Law Enforcement Agency:

- I am:  A family member of the Respondent.  
 An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed*).  
 An employer of the Respondent.  
 A coworker of the Respondent.  
 An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months.

b. Your Lawyer (*if you have one for this case*):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_

c. Your Address (*If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email. Law enforcement officer, give agency information.*)

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**② Respondent**

Full Name: \_\_\_\_\_

Description:

Sex:  M  F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_  
 Home Address (*if known*): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Petitioner: \_\_\_\_\_

*The court will complete the rest of this form.*

**③ Expiration Date**

***This Order expires at:***

(Time): \_\_\_\_\_ a.m. a.p.m. midnight on (date): \_\_\_\_\_

If no expiration date is written here, this Order expires one year from the date of issuance.

**This is a Court Order.**

**4 Hearing**

- a.  There was a hearing on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_ .  
(*Name of judicial officer*): \_\_\_\_\_ made the orders at the hearing.
- b.  These people were at the hearing:
  - (1)  The Petitioner      (3)  The lawyer for the Petitioner      (*name*): \_\_\_\_\_
  - (2)  The Respondent      (4)  The lawyer for the Respondent      (*name*): \_\_\_\_\_
- c.  There was not a hearing because Respondent filed a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125).

**5 Findings**

- a. The court finds by clear and convincing evidence that the following are true:
  - (1) Respondent poses a significant danger of causing personal injury to themselves, or another person by having in their custody or control, owning, purchasing, possessing, or receiving firearms, ammunition, or magazines.
  - (2) A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.
- b.  The court has received credible information that the Respondent owns or possesses one or more firearms, ammunition, or one or more magazines.
- c.  The facts as stated in the Petition and supporting documents, which are incorporated here by reference, establish sufficient grounds for the issuance of this Order. And/or for the reasons stated below.

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- See the attached *Attachment* (form MC-025).
- d.  The Respondent filed *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court finds that Respondent agreed not to have in Respondent's custody or control, own, purchase, possess, or receive a firearm, ammunition, or magazine or attempt to purchase or receive a firearm, ammunition, or magazine until: (*expiration date*) \_\_\_\_\_ .

**This is a Court Order.**

**6 No Fee to Serve**

If the sheriff or marshal serves this order, service will be free.

**7 Order Prohibiting All Firearms, Ammunition, and Magazines**

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazine (any ammunition feeding device).
- b. You must:
  - (1) Surrender all firearms and ammunition, including magazines, in your custody or control or that you possess or own. If a law enforcement officer orders you to surrender all of your firearms and ammunition, including magazines, to the officer, you must do so immediately. If no order to surrender is made by a law enforcement officer, you must surrender all of your firearms and ammunition, including magazines, within 24 hours of being served with this Order. You may do so by:
    - a. surrendering all of your firearms and ammunition, including magazines, in a safe manner to the local law enforcement agency; or
    - b. selling all of your firearms and ammunition, including magazines, to a licensed gun dealer; or
    - c. storing all of your firearms and ammunition, including magazines, with a licensed gun dealer for as long as this Order is in effect.
  - (2) Within 48 hours of receiving this Order, file a receipt with the court that proves that your firearms and ammunition have been turned in, sold, or stored. (*You may use Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored (form GV-800) for the receipt.*) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**

**8 Service of Order on Respondent**

- a.  The Respondent personally attended the hearing. No other proof of service is needed. The clerk has provided the Respondent with a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600).
- b.  The Respondent did not attend the hearing. The Respondent must be personally served with a court file-stamped copy of this Order and a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600) by a law enforcement officer or someone age 18 or older, **and not a party to the action.**
- c.  This is an order based on the Respondent's filing a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court will provide notice to all parties.

**9** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

**This is a Court Order.**

## Warnings and Notices to the Respondent

**This Order is valid until the expiration date and time noted on page 1. If you have not done so already, you must surrender all firearms, ammunition, and magazines that you own or possess in accordance with section 18120 of the Penal Code. You may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazines while this Order is in effect. Under section 18185, you have the right to request one hearing per year to terminate this Order during its effective period. You may seek the advice of an attorney as to any matter connected with the order.**

**Violation of this Order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six months or both. (Pen. Code, §§ 19, 18205.) If you violate this Order, you will be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, any firearm, ammunition, or magazines for a period of five years. This Order must be enforced by any law enforcement officer in the State of California who is aware of or shown a copy of this Order. The Order remains enforceable regardless of the acts of the parties; it may be terminated only by an order of the court.**

## Instructions for Law Enforcement

### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- | Ask if the Restrained Person is in possession of any firearms, ammunition, or magazines or has custody or control of any that they have not already turned in.
- | Order the Restrained Person to immediately surrender to you all firearms, ammunition, and magazines.
- | Issue a receipt to the Restrained Person for all firearms, ammunition, and magazines that have been surrendered.
- | Complete a proof of personal service and file it with the court. You may use Form GV-200 for this purpose.
- | Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

### Duties of Agency on Surrender of Firearms and Ammunition

The law enforcement agency that has received surrendered firearms, ammunition, or magazines must do the following:

- | Retain the firearms, ammunition, or magazines until the expiration of this order or of any other gun violence restraining order issued by the court.
- | On the expiration of this order or of any later gun violence restraining Order issued by the court, return the firearms and ammunition to the Respondent as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Firearms, ammunition, or magazines that are not claimed are subject to the requirements of section 34000.
- | If someone other than the Respondent claims title to any of the firearms, ammunition, or magazines surrendered, determine whether that person is the lawful owner. If so, return the firearms, ammunition, and magazines to him or her as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850).

**This is a Court Order.**

**Instructions for Law Enforcement***(continued)***Enforcing This Order**

The law enforcement officer should determine if the Respondent had notice of the order. Consider the Respondent “served” (given notice) if:

- | The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- | The respondent was informed of the Order by an officer.
- | Item 8a or 8c is checked.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the respondent cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it (*see above: Duties of Officer Serving This Order*).

The provisions in this *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130) do not affect those of any other protective or restraining order in effect, including a criminal protective order. The provisions in any other existing protective order(s) remain in effect.

**Instructions to Clerk**

This order must be served on all parties by the court, if it is made following the filing of a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125).

*(Clerk will fill out this part.)***—Clerk’s Certificate—**

*Clerk’s Certificate*  
[seal]

I certify that this *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order (CLETS-OGV)* (form GV-130) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**