

DISTRICT COURT  
Location YORK  
Docket No. YOR SA-98-319

ELAINE STALEY Plaintiff

v.

JEFF MARSHELL Defendant

TEMPORARY ORDER FOR  
PROTECTION  
AND NOTICE OF HEARING  
(19-A M.R.S.A. § 4006)  
(5 M.R.S.A. § 465)

Upon consideration of plaintiff's complaint and request for a temporary order, it is hereby ORDERED that:

- 1. The defendant is prohibited from having any contact with plaintiff, directly or indirectly;
- 2. The defendant is prohibited from imposing any restriction upon the person or liberty of the plaintiff;
- 3. The defendant is prohibited from threatening, assaulting, molesting, harassing, or otherwise disturbing the peace of the plaintiff;
- 4. The defendant is prohibited from, repeatedly and without reasonable cause, following the plaintiff or being at or in the vicinity of the plaintiff's home, school, business or place of employment;
- 5. The defendant is prohibited from entering the family residence or premises of the separate residence of the plaintiff at (list, unless confidential):  
25 1/2 MAIN ST. ELIOT, ME.
- 6. The defendant is prohibited from taking, converting or damaging property in which the plaintiff may have legal interest; and
- 7. The plaintiff is awarded temporary custody of the following minor child(ren) residing in the household (List names and dates of birth): \_\_\_\_\_

This Order is effective forthwith and will remain in effect until further order of the court.

WARNING TO THE DEFENDANT: VIOLATION OF THIS ORDER IS A CLASS D CRIME. AS LONG AS THIS ORDER IS IN EFFECT, YOU MUST OBEY IT. NO ONE, INCLUDING THE PLAINTIFF, CAN GIVE YOU PERMISSION TO VIOLATE THE PROVISIONS OF THIS ORDER.

A hearing on plaintiff's complaint will be held at 10:00 AM  
on OCTOBER 15, 1998 at the District Court located at:  
11 CHASES POND RD.  
YORK, MAINE

If the defendant desires to dissolve or modify the above Temporary Order, the defendant must so move. Otherwise, a final hearing will be held at the above date and time.

Copies of this Order shall be furnished by the clerk to the law enforcement agency with jurisdiction in the location of the plaintiff's residence. It is ORDERED that a copy of this Order, the complaint and summons be served on the defendant by

Date: 9/28/98  
KITZERY PD  
(law enforcement agency)  
[Signature]  
Judge / Justice

A true copy, attest: [Signature]  
(Deputy) Clerk

DUPLICATE

STATE OF MAINE

DISTRICT COURT

Location YORK

Docket No. YOR SA-98-319

*Kittery PD Return to Court after service*

ELAINE STALEY

Plaintiff

v.

SUMMONS PROTECTION ORDER

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JEFF MARSHALL

Defendant

TO THE DEFENDANT: Jeff Marshall

The Plaintiff has begun a Protection from Abuse / Harassment action against you. If you wish to oppose this action, you or your attorney must appear before the Court on THURSDAY OCTOBER 15, 1998 at 10:00 AM/PM. The court is located at:

MAINE DISTRICT COURT  
CHASES POND RD.  
PO BOX 770  
YORK, ME 03909-0770

A full hearing on plaintiff's complaint will be heard at that time.

IMPORTANT WARNING: IF YOU FAIL TO APPEAR AT THE COURT AT THE ABOVE STATED TIME, OR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, COURT ORDERS EFFECTIVE FOR UP TO TWO YEARS MAY BE ENTERED AGAINST YOU IN YOUR ABSENCE GRANTING ANY OR ALL OF THE RELIEF REQUESTED IN THE COMPLAINT. THE VIOLATION OF THESE ORDERS MAY CONSTITUTE A CLASS D CRIME OR CONTEMPT OF COURT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO APPEAR AT THE REQUIRED TIME. YOU MAY OBTAIN A BOOKLET OF INFORMATION ABOUT PROTECTION FROM ABUSE/HARASSMENT CASES FROM THE COURT CLERK.

(Court Seal)

Date: 9/28/98

*Therese L. Tournear*  
Clerk

Elaine Staley  
25 1/2 Main St.  
Eliot, Maine

Name and address of plaintiff's attorney

*Def*  
A true copy  
ATTEST: *Therese L. Tournear*

(Deputy Clerk) ~~(Clerk)~~  
Date: 9-28-98

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RETURN OF SERVICE

\_\_\_\_\_, ss.

On Sept. 28, at 1514 AM/PM, I made service of the  
 Complaint  Summons for Protection of Abuse / Harassment  Temporary Order for  
Protection and  Order of Continuance, upon the defendant JEFF Marshall  
by delivering a copy of each document to the defendant in hand at: Kittery PD.

(location where served)

*[Signature]*  
Authorized Officer

LAW ENFORCEMENT OFFICER: Return original Summons to the court at the address shown above.

# KITTERY POLICE DEPARTMENT

## OFFENSE REPORT

Master Card Comp

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Case Logged

CASE NUMBER: K 98-5610-26 CLASSIFICATION Harassment  JUVENILE CASE

COMPLAINANT IS COMPLAINANT ALSO THE VICTIM?  YES  NO  
 NAME Elaine Staley DOB [REDACTED] AGE: 39  
 ADDRESS 25 1/2 Main St TELEPHONE: ( 207 ) 438-9713  
 CITY Eliot STATE ME ZIP 03903 WORK: \_\_\_\_\_

OCCURED DATE 9/27/98 Time 22:05 REPORTED DATE 9/27/98 Time 22:06  
 LOCATION OF OFFENSE Kittery Maytag Laundromat Government St. Kittery, ME

VEHICLE INVOLVED  
 YES  REG: ( ) MAKE: \_\_\_\_\_ YEAR OF MANUFACTURE: \_\_\_\_\_  
 NO  MODEL: \_\_\_\_\_ VIN: \_\_\_\_\_ COLOR: \_\_\_\_\_

WEAPON INVOLVED  
 YES  TYPE: \_\_\_\_\_ MFG. \_\_\_\_\_ SERIAL NO. \_\_\_\_\_  
 NO  CALIBER \_\_\_\_\_

OTHER PERSONS INVOLVED				RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	CODE
NAME	ADDRESS	DOB	TELEPHONE							
Deanna Burns	9 Dismukes St. Kittery, ME	[REDACTED]	(207) 438-9432	W	F					W
Frank Jeffrey Marshall	51 Rogers Road Kittery, ME	[REDACTED]	(207)439-4515	W	M					S

CODES: (A) Accused - Use only if in custody, summonsed or warrant exists (S) Suspect - Use only if P.C. to charge  
 (V) Victim (W) Witness (O) Other (M) Mother (F) Father (G) Guardian

FOR JUVENILES ONLY: PARENTAL NOTIFICATION: DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
 RELEASED TO: \_\_\_\_\_ TIME: \_\_\_\_\_  
 FINGERPRINTS TAKEN:  PHOTOGRAPH TAKEN:

EVIDENCE TAG NOS. \_\_\_\_\_ CRIME SCENE PROCESSED \_\_\_\_\_ BY: \_\_\_\_\_  
 PHOTOS TAKEN: YES  No. \_\_\_\_\_ CROSS REF. NOS \_\_\_\_\_  
 NO  BY: \_\_\_\_\_

TOTAL LOSS \_\_\_\_\_ TOTAL RECOVERY \_\_\_\_\_ TT SENT \_\_\_\_\_

On 9-27-98 at approximately 2200 hrs I was dispatched to the Kittery Maytag reference a fight in progress. Prior to my arrival I was advised that the male had left the area in a Jeep heading toward Rte 1. I was unable to intercept the jeep and joined up with Sgt Cullen who had arrived on the scene minutes before me. We were met by a Elaine Staley of Eliot who advised that she had been doing her laundry when Jeff Marshall came in and began to speak to her. Jeff was her daughters Ex-boyfriend. There had been problems with Jeff in the past and Protection Orders were drawn up between the daughter and Jeff. Jeff said he had seen her vehicle and decided to stop for a soda and to speak with her. He became upset when Elaine refused to talk with him causing him to yell profanities about her and her daughter. A woman nearby became so alarmed at the confrontation she called 911 to report the disturbance. She was identified as Deanna Burns. Jeff noticed Elaines boyfriend pull into the lot and he made an attempt to keep him from exiting his truck. When he did get out the male operator of the jeep pulled Jeff into the jeep and left the scene. Statement forms were given to both women to be completed. Elaine obtained a Protection Order on 9-28 and it has been served. Jeff was located at Christy's a short time later and was found to be intoxicated. He denied being out of control and threatening to Elaine. He was told the case would be screened for possible charges.

REPORT COMPLETED BY: Ptl. Gary Berg DATE: 9/29/98 APPROVED: [Signature]  
 STATUS: CLEARED BY ARREST  EXCEPTIONALLY  CASE CLOSED  CASE OPEN

KITTERY POLICE DEPARTMENT  
KITTERY, MAINE

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WITNESS STATEMENT FORM

CASE NUMBER R98-52610-24 DATE 9-28-98 TIME \_\_\_\_\_

I, Elaine Staley, DOB: [REDACTED]

reside at \_\_\_\_\_

My telephone number is 438-9713. I am giving this voluntary statement to Gary Berg  
of the Kittery Police Department.

Last night 9-27-98 at 9:45 pm I was at the laundry on Government Street in Kittery. I turned around and Jeff Marshall was standing there. He is a friend of my ex-husband and also my daughter's ex-boyfriend. He started talking about my ex-husband and how he felt we should be back together, etc. I thought if I didn't comment, just finish what I was doing, get in my car that would be the end of it. However he got more insistent, more loud and got right in my face. A woman who was there went out to call the police. He then called me every name in the book and my daughter was brought up at that point. I also noticed he was drunk. I told him to get out of my face and leave. He went out into the parking lot. At that point my boy friend drove in. Jeff tried to hold my boy friend's door shut to prevent him from getting out. He got out anyway and it was clear there was going to be a fight. The man who was in Jeff's truck got out and got them back in his truck and they drove off.

Over the past 6 months I've had 3 reasons why this occurred. I'm tired of his harassment and last night due to the late hour and the location of the laundry I felt very scared.

SIGNED: Elaine Staley