

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT IN THE  
STATE OF FLORIDA, IN AND FOR SEMINOLE COUNTY**

\_\_\_\_\_  
Petitioner, (Law Enforcement  
Officer/Agency)

v.

Case Number: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Respondent.

\_\_\_\_\_ /

**ORDER ON SECTION 790.401, FLORIDA STATUTES, NON-COMPLIANCE**

This cause came before the Court upon a three (3) day Compliance Hearing scheduled pursuant to Section 790.401(7)(f), Florida Statutes (F.S.), and the Court having been fully advised in the premises now finds:

1. An ex parte Temporary Risk Protection Order was issued by the Circuit Court on \_\_\_\_\_.
2. That Temporary Risk Protection Order was served upon the Respondent on \_\_\_\_\_.
3. The Order included a Notice of Compliance Hearing requiring the parties to appear at this time, date and place.
4. The Petitioner appeared for the hearing by and through counsel, \_\_\_\_\_.
5. The Respondent:  
\_\_\_\_\_ personally appeared and proceeded pro se.  
\_\_\_\_\_ appeared with counsel \_\_\_\_\_.  
\_\_\_\_\_ failed to appear.
6. Based upon the evidence and testimony presented there is insufficient credible evidence that the Respondent has fully complied.
7. The Court notes that Section 790.401 (11) (b), F.S., provides that it is a felony of the third degree for anyone to possess a firearm or ammunition knowing he or she is prohibited from doing so by a Risk Protection Order. The Court also notes that pursuant to Section 901.15, F.S., an officer who reasonably believes the Respondent has committed or is committing a felony is empowered to arrest the Respondent for that felony.

8. At this time the Petitioner:
- \_\_\_\_\_ raises only a mere suspicion that the Respondent possesses firearms or that have not been surrendered but has presented no evidence or testimony identifying the type and location of such prohibited items.
  - \_\_\_\_\_ claims to have sufficient probable cause to believe the Respondent has failed to surrender certain firearms or ammunition but has elected not to arrest the Respondent.
  - \_\_\_\_\_ will forthwith arrest or has taken Respondent into custody based upon a reasonable belief the Respondent committed a third degree felony violation of Section 790.401 (11) (b), F.S.
  - \_\_\_\_\_ (other) \_\_\_\_\_

The Court reminds both parties that the Temporary Risk Protection Order remains in full force an effect until the Final Hearing and repeats the formal notice for that hearing below.

NOTICE OF FINAL RISK PROTECTION HEARING

**PETITIONER AND RESPONDENT ARE HEREBY NOTIFIED THAT PURSUANT TO SECTION 790.401(3)(a), FLORIDA STATUTES, A FINAL HEARING ON A PETITION FOR A RISK PROTECTION ORDER HAS BEEN PREVIOUSLY SCHEDULED BEFORE THIS COURT ON:**

\_\_\_\_\_, 20\_\_ at \_\_\_\_\_ A.M./P.M., in Courtroom \_\_\_\_\_ located at the \_\_\_\_\_ Courthouse, \_\_\_\_\_.

**DONE AND ORDERED** in Seminole County, Florida on DDDD

JJJJ

Copies to:  
 Petitioner  
 Respondent  
 SeminoleRPO@flcourts18.org

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of Seminole County, Florida, and that I have furnished copies of this Order as indicated above.

CLERK OF THE CIRCUIT COURT  
 By:

\_\_\_\_\_

[Name of deputy clerk]

ACKNOWLEDGMENT

Petitioner, \_\_\_\_\_ acknowledges receipt of a certified copy of this Order.

\_\_\_\_\_  
[Signature of Petitioner]

ACKNOWLEDGMENT

Respondent, \_\_\_\_\_ acknowledges receipt of a certified copy of this Order.

\_\_\_\_\_  
[Signature of Respondent]

**REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH  
DISABILITIES**

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at Seminole Court Administration, 301 N. Park Avenue, Suite N301, Sanford, Florida 32771-1292, (407) 665-4227 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**