No. ______

In the Supreme Court of the United States

REGINA T. DREXLER,

Applicant,

v.

HONORABLE THERESA SPAHN, in her official capacity; HONORABLE CHELSEA MALONE, in her official capacity; DENVER COUNTY COURT, CITY AND COUNTY OF DENVER; PHILLIP WEISER, ATTORNEY GENERAL, in his official capacity for the state of Colorado,

Respondents.

APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR WRIT OF CERTIORARI

To the Honorable Neil Gorsuch, Associate Justice of the United States and Circuit Justice for the United States Court of Appeals for the Tenth Circuit:

1. Pursuant to 28 U.S.C. § 2101(c) and this Court's Rules 13.5, 22, and 30.2, Applicant Regina T. Drexler respectfully requests an extension of time of 60 days, to and including Monday, June 12, 2023, for the filing of a

petition for a writ of certiorari to review the decision of the United States Court of Appeals for the Tenth Circuit dated November 30, 2022. (Exhibit 1.)

2. The court denied Applicant's petition for rehearing and rehearing en banc on January 13, 2023. (Exhibit 2.) This Court's jurisdiction would be invoked under 28 U.S.C. §§ 1254(1) and 2254(a).

3. Without an extension, the deadline for filing the petition for certiorari will be Thursday, April 13, 2023. This application is being filed 10 days in advance of that date, and no prior application has been made in this case.

4. This case poses an important question under 28 U.S.C. § 2254: Whether a person is "in custody pursuant to the judgment of a state court," as required to file an application for habeas corpus relief under § 2254(a), when that person has been deprived of her First Amendment Right to Freedom of Expression pursuant to a state-issued protection order, and whose freedom of movement is curtailed by inclusion in state and federal criminal history databases that subject her to compelled movement and searches when she travels.

5. Applicant Regina Drexler is a survivor of domestic abuse who has turned her traumatic past into literary works that have garnered widespread

acclaim and provided her with a burgeoning career. Her essay *Landslide* was published in the Colorado Review in 2011, listed as a Notable Essay in Best American Essays in 2012, and nominated for The Pushcart Prize. Her 2011 follow-up essay, *Stealing Mannequins*, was published by West Branch, a literary journal published by Bucknell University, and was also included as a Notable Essay in Best American Essays in 2013. Both essays were about her survival of domestic abuse, as well as the ostracism and reputational smearing she and her sons experienced from her former husband and a former friend—and one-time intimate partner—Rachel Brown. In 2012, Drexler also performed a 10-minute public reading of content she later included in *Stealing Mannequins* at a school talent show.

6. Although the essays referenced events related to Brown and Drexler's former husband, they did not reference either by full name. Indeed, the 2012 public reading performance had nothing to do with Brown or Drexler's former husband. There is also no contention that the content of these works contained fighting words or threats, was obscene, false, or was otherwise unlawful or unprotected speech. Accordingly, these works were forms of expression protected under the First Amendment.

7. Yet years after Drexler produced these protected works, a Colorado state court entered a protection order that punished Drexler for producing them and entered a prior restraint preventing her from engaging in further protected expression.

8. In 2015, after Drexler was forced to obtain a temporary protection order to cease Brown's years-long physical following and efforts to smear the reputations of Drexler and her young sons, Brown made a retaliatory request for a protection order in Colorado state court, claiming that Drexler's protected works constituted efforts to harass her.

9. The state court granted Brown's requested retaliatory protection order—and its findings cited Drexler's protected expression over 26 times in support of the order. The state court held that Drexler's essays and performance constituted "abuse," "harassment," "intimidation," "stalking," and "following," as well as repeated "contacts" with Brown, even though none of the works were directed to Brown. Yet the state court concluded that they constitute predicate acts that justified entry of a permanent protection order. Under Colorado law, "harassment" constitutes one such predicate act, Colo. Rev. Stat. §§ 13-14-101(2), 13-14-104.5(1)(a)(II), 13-14-106(1)(a), although the phrase is not defined in the protection order statute. "[S]talking," another

predicate act, see Colo. Rev. Stat. §§ 13-14-104.5(1)(a)(V), 13-14-106(1)(a), includes "repeated[]" "contacts," "following," or "any form of communication", causing "serious emotional distress." See Colo. Rev. Stat. § 18-3-602(1)(c); see also *id.* § 13-14-101(3) (adopting § 18-3-602's definition of stalking). And "contact" includes "any interaction or communication", either "directly or indirectly through … electronic and digital forms of communication." *Id.* § 13-14-101(1.7). Accordingly, the state court interpreted Colorado law to permit Drexler's therapeutic efforts to heal from Brown's abuse through protected forms of literary expression not directed to Brown as prohibited acts that justified entry of a permanent protection order against Drexler.

10. And the terms of the protection order that the state court issued on the bases of these predicates permanently prohibits Drexler from engaging in further acts of protected expression. (See Exhibits 3 & 4.) The protection order not only contains the sorts of distance restrictions commonly included in such orders, it requires that Drexler shall not "contact," "harass," "intimidate" or "stalk" Brown, incorporating the very terms the state court had already interpreted to encompass Drexler's protected forms of expression. The protection order also contains other vague restrictions, defined nowhere under Colorado law, that can be interpreted to reach Drexler's protected expression,

including that she "shall not … injure [or] threaten" Brown. (See Exhibits 3 & 4 at 1.) Accordingly, the protection order bars Drexler from engaging in her therapeutic tool for recovery and furthering her chosen profession. And it presents a prior restraint on protected expression and a direct affront to First Amendment protections. Yet the Colorado state courts rejected Drexler's First Amendment challenge to the protection order on direct and state habeas review.

11. As permitted by Colorado statute, the Colorado state court also imposed a permanent firearm ban on Drexler and registered her on Colorado's Computerized Criminal History Database ("CCHD") and the National Instant Criminal Background Check System ("NICD"). Colo. Rev. Stat. § 18-6-803.7; 28 U.S.C. § 534; 1 C.F.R. § 102-74.385.

12. Thereafter, Drexler filed a habeas petition in federal district court under § 2254 and a First Amendment challenge to the Colorado protection order statutes under 28 U.S.C. § 1983. She alleged that she was "in custody," as § 2254 requires, because the protection order inhibits her freedom of expression. She also alleged that the order inhibits her freedom of movement, because her inclusion in the CCHD and NICD caused her to be subject to repeated and compelled physical stops, directed movements, separation and

relocation, and sequestering and questioning by law enforcement when she traveled. Yet the federal district court dismissed her habeas petition, concluding that Drexler was not in "custody" as § 2254 requires because the order imposed only "distance" restrictions, and it denied her request for a certificate of appealability on this basis.

13. A panel of the Tenth Circuit Court of Appeals likewise refused to grant Drexler's request for a certificate of appealability. The Tenth Circuit also concluded that Drexler was not in custody because it concluded the orders included only "distance" restrictions and did not explicitly include an order of prior restraint or compel Drexler's physical movements.

14. That decision is in direct conflict with this Court's decision in *Jones* v. *Cunningham*, 371 U.S. 326 (1963), which holds that the concept of "custody" goes beyond "actual physical custody" to encompass any circumstances in which a person experiences "restraints" on their "liberty" that are "not shared by the public generally." *Id.* at 373. And the protection order in this case imposes direct restraints on Drexler's "liberty," infringing on her constitutionally protected rights by imposing a prior restraint prohibiting her from producing and publishing protected forms of expression.

15. The Tenth Circuit's decision that Drexler's inclusion in federal and state criminal history databases does not render her "in custody" also conflicts with the decisions of this Court and those of other circuits." This Court has held that a person is in custody when that person's movements may be compelled by state officials and "disobedience" with an official command "is itself a criminal offense." *Hensley* v. *Mun. Ct., San Jose Milpitas Jud. Dist., Santa Clara Cnty., California*, 411 U.S. 345, 350-351 1973) (recognizing that, to support custody, the restraint must be (1) severe, (2) immediate, and (3) not shared by the public generally); *Justices of Boston Mun. Court* v. *Lydon*, 466 U.S. 294, 300-301 (1984) (petitioner released on his own recognizance was "in custody"). And the majority of circuits hold that persons are "in custody" under § 2254 if a state court order interferes with their "freedom of movement" in some way, even if they are otherwise "'ostensibly free to come and go as they please,'" and those courts have invalidated orders containing movement restrictions in circumstances that are highly analogous to Drexler's. *Poodry* v. *Tonawanda Band of Seneca Indians*, 85 F.3d 874, 895 (2d Cir. 1996) (order restricting petitioners' location constituted "severe restraint" to support custody despite that the order did not include other restrictions, nor any ongoing supervision or enforcement); *United States ex*

rel. Scranton v. *New York*, 532 F.2d 292, 293-94 (2d Cir. 1976) (petitioner released after indictment was in custody because she could be ordered to appear); *Dow* v. *Circuit Court of the First Circuit*, 995 F.2d 922, 923 (9th Cir. 1993) (per curiam) (petitioner's compelled attendance at an alcohol rehabilitation program rendered petitioner "in custody"); *Barry* v. *Bergen Cnty. Prob. Dep't*, 128 F.3d 152 (3d Cir. 1997) (community service obligation rendered petitioner "in custody"); *Kolski* v. *Watkins*, 544 F.2d 762, 763-764 & n.2 (5th Cir. 1977) (petitioner released on his own recognizance was "in custody"). To these courts, "even restraints on liberty that might appear short in duration or less burdensome than probation or supervised release are severe enough because they required petitioners to appear in certain places at certain times, thus preventing them from exercising the free movement and autonomy available to the unrestricted public." *Nowakowski* v. *New York*, 835 F.3d 210, 216 (2d Cir. 2016) (petitioner was in custody where physical movements were compelled and failure to comply caused "the risk of further penal sanction"). This case thus presents issues deserving of plenary review justifying good cause for the requested extension. Ms. Drexler also intends to file an Application for Certificate of Appealability under Section 2253(c)(1), which may obviate the need for a certiorari petition.

16. Counsel of Record, J. Carl Cecere, only recently became counsel of record. He therefore requires additional time to research the factual record and the complex, important legal issues presented in this case. Furthermore, before the current due date of the petition, Mr. Cecere has substantial briefing and oral argument obligations, including a response to a petition for review, *Ford Motor Co*. v. *Parks* (Tex. Sup. Ct. No. 23-0048), an appellant's brief in *Lac La Ronge Indian Band* v. *Purdue Pharma L.P. (In re Purdue Pharma L.P.)* (S.D.N.Y. 23-CV-1541), an appellees' brief in *El Campo v. Stratton* (5th Cir. No. 22-50838), and preparation for oral argument in *J.T.* v. *Uplift Education* (N.D. Tex. No. 3:20-cv-034430-D).

For the foregoing reasons, Applicant requests that an extension of time, to and including Monday, June 12, 2023, be granted within which Applicant may file a petition for writ of certiorari.

April 3, 2023

Respectfully submitted,

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EXHIBIT 1

FILED
United States Court of Appeals
Tenth Circuit

November 30, 2022

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

REGINA T. DREXLER,

Plaintiff - Appellant.

v.

HONORABLE THERESA SPAHN, in her official capacity; HONORABLE CHELSEA MALONE, in her official capacity; DENVER COUNTY COURT, CITY AND COUNTY OF DENVER; PHILLIP WEISER, Attorney General, in his official capacity for the State of Colorado,

Defendants - Appellees.

No. 21-1368
(D.C. No. 1:21-CV-00805-LTB-GPG)
(D. Colo.)

ORDER AND JUDGMENT*

Before **BACHARACH**, **McHUGH**, and **MORITZ**, Circuit Judges.

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* We set this case for oral argument, but Ms. Drexler then moved for submission on the briefs. We granted that motion, so we're deciding the appeal based on the briefs.

This order and judgment does not constitute binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. But the order and judgment may be cited for its persuasive value if otherwise appropriate. Fed. R. App. P. 32.1(a); 10th Cir. R. 32.1(A).

APPENDIX A

This appeal grew out of a feud between Regina Drexler and Rachel Brown. The two women had an intimate relationship, which ended bitterly. In the fallout, Ms. Drexler wrote literary essays about abuse. Ms. Brown characterized the essays as harassment and complained that she was being stalked by Ms. Drexler. The feud led to the entry of a protection order in state court,[1] restricting Ms. Drexler's proximity to Ms. Brown, her children, and her houses.

The protection order spurred Ms. Drexler to bring an action in federal court, where she alleged constitutional violations in the protection order as well as the statutes authorizing that order. In this action, Ms. Drexler

- sought habeas relief against two state-court judges and the state court itself and
- sued the state attorney general under 42 U.S.C. § 1983 for prospective relief and damages.

The district court dismissed the entire action, and Ms. Drexler appeals. The appeal involves two main issues:

1. **Jurisdiction for the habeas action against the two state-court judges and the state court.** Habeas corpus is a remedy entitling an individual to release. So habeas jurisdiction exists only when the claimant is *in custody*. Because the typical form of custody is incarceration, most habeas claims are brought by inmates. But even when the claimant is not incarcerated, the

[1] The state court issued two protection orders. In 2015, Judge Theresa Spahn issued an oral protection order. Three years later, Judge Chelsea Malone modified the order. Though Ms. Drexler refers to both protection orders, the second order served only to modify the first one.

imposition of extraordinary restrictions on freedom can be considered *custody*.

Ms. Drexler complains that the protection order was so restrictive that it effectively constituted *custody*, triggering habeas jurisdiction. The district court disagreed. Ms. Drexler can appeal that determination only if a reasonable jurist could characterize the protection order as the imposition of *custody*. But the protection order simply kept Ms. Drexler away from Ms. Brown, her children, and her houses. No jurist could reasonably regard that restriction as severe enough to constitute *custody*.

2. **Applicability of the *Rooker-Feldman* doctrine in the suit against the state attorney general.** Many times, litigants might feel victimized by a state court's rulings. These litigants sometimes go to federal court to challenge the state-court rulings. But federal courts are not appellate tribunals for state courts because federal and state courts are separate sovereign actors. Because of this dual sovereignty, federal courts have recognized a doctrine—called the *Rooker-Feldman* doctrine—that prevents federal jurisdiction when a litigant challenges a state-court ruling.

   In this case, the district court invoked the *Rooker-Feldman* doctrine, treating the entire § 1983 suit as an attack on the protection order. The district court was correct for much of Ms. Drexler's claim. But Ms. Drexler complained about not only the protection order, but also the underlying state statutes authorizing protection orders. The *Rooker-Feldman* doctrine covered Ms. Drexler's challenge to the protection order but not to the underlying statutes. So the district court shouldn't have dismissed the challenges involving the underlying state statutes.

1. No reasonable jurist could regard the restrictions on Ms. Drexler as *custody*.

Ms. Drexler wants to appeal the dismissal of her habeas action. But a habeas claimant can appeal only upon the issuance of a certificate of appealability. 28 U.S.C. § 2253(c)(1)(A).

The district court denied a certificate of appealability, so Ms. Drexler asks us for one. We can grant her a certificate only if she's presented a reasonably debatable argument. *Dulworth v. Evans*, 442 F.3d 1265, 1266 (10th Cir. 2006). Here that argument turns on whether Ms. Drexler was in custody when she sought habeas relief.

Custodial status was required because habeas jurisdiction exists only if the petitioner was "in custody pursuant to the judgment of a State court." 28 U.S.C. § 2254(a).[2] Custody can exist when a state court imposes significant restraints on freedom that are not generally shared by the public. *Mays v. Dinwiddie*, 580 F.3d 1136, 1139 (10th Cir. 2009). According to Ms. Drexler, the restraints inhibited her speech and movement.

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[2] Given the need for custodial status, habeas petitioners like Ms. Drexler must name their custodians as the respondents. 28 U.S.C. § 2242. The custodian is the individual who's able to bring the petitioner to the federal district court. *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004).

When a petitioner isn't incarcerated, the proper respondent is the state attorney general. Rules Governing Section 2254 Cases in the United States District Courts, 1976 advisory comm. note, Rule 2(b)(3). Though Ms. Drexler sued the state attorney general under 42 U.S.C. § 1983, he wasn't named as a respondent in the habeas action. The only named respondents were two state-court judges and the state court, but they were not proper respondents for the habeas action. *See id.* The failure to name the proper custodian may have deprived the court of personal jurisdiction. *See Stanley v. Cal. Sup. Ct.*, 21 F.3d 359, 360 (9th Cir. 1994) ("Failure to name the petitioner's custodian as a respondent deprives federal courts of personal jurisdiction.").

In invoking her right to speech, Ms. Drexler conflates the terms of the protection order with the state court's reasoning. The protection order itself didn't say anything that would restrict Ms. Drexler's right to speech. Rather than rely on the terms of the protection order, Ms. Drexler relies on the state court's reasoning. For example, Ms. Drexler zooms in on the state court's comments about her fixation with Ms. Brown—not only following Ms. Brown but also writing about her. These comments allegedly inhibit Ms. Drexler from writing more essays out of fear that a state court might view them as harassment.

But a court must consider the effect of the protection order based on its terms, and the terms themselves didn't restrict Ms. Drexler's future writings. In fact, the state district court clarified to Ms. Drexler that "[n]othing in the [protection order] . . . prohibits Ms. Drexler from publishing written materials" or "otherwise intrude[s] on her protected First Amendment [a]ctivities" and the protection order "merely forbids Ms. Drexler from contact with Ms. Brown." Appellant's App'x vol. 2, at 364. That clarification eliminates any conceivable characterization of the protection order as a restriction on Ms. Drexler's speech.

Ms. Drexler also complains about the restrictions on her freedom of movement. The protection order requires Ms. Drexler to stay at least

- 100 yards away from Ms. Brown, her children, and her houses; and

- 10 feet away from Ms. Brown when going to or from work.

We must determine whether a reasonable jurist could regard these restrictions as significant constraints on Ms. Drexler's freedom beyond those generally shared by the public. *See Mays v. Dinwiddie*, 580 F.3d 1136, 1139 (10th Cir. 2009); *see also* p. 4, above.

Every year, state courts issue thousands of orders requiring parties to stay away from other individuals. To our knowledge, no court has ever regarded these restrictions on movement as severe enough to constitute *custody*. *See Vega v. Schneiderman*, 861 F.3d 72, 75 (2d Cir. 2017) (concluding that a protection order didn't impose *custody* by requiring the habeas petitioner to stay away from another individual); *Austin v. California*, No. 20-cv-900-CRB, 2020 WL 4039203, at *2–3 (N.D. Cal. July 17, 2020) (unpublished) (holding that a protection order didn't create *custody* by prohibiting the petitioner from returning to his prior residence or being within 100 yards of his son and ex-wife).

State law also sometimes authorizes restrictions on movement. For example, Oklahoma law prohibits convicted sex offenders from living within 2000 feet of a school or childcare center. Okla. Stat. tit. 57, § 590 (2014). We've held that this restriction doesn't constitute *custody* for the

purposes of habeas jurisdiction. *Dickey v. Allbaugh*, 664 F. App'x 690, 692–94 (10th Cir. 2016) (unpublished).[3]

Ms. Drexler complains that her restrictions went even further by preventing attendance at a local university or even her own office. These complaints aren't accurate.

First, she says that she couldn't attend the University of Colorado Denver because Ms. Brown worked there. This statement isn't correct. In fact, the state court told Ms. Drexler that she could freely enroll as a student at the University of Colorado Denver, adding that she just had to avoid Ms. Brown's lectures and keep at least 10 feet away from her. Given this clarification, no reasonable jurist could interpret the protection order as a ban on attending the university.

Second, Ms. Drexler states that the protection order prevented her from going to her own law office. This statement mischaracterizes the protection order. The state court explained to Ms. Drexler that she could go to and from her office, but just had to keep at least 10 feet away from Ms. Brown. Ms. Drexler has not shown that her office was within 10 feet of Ms. Brown.

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[3] This opinion is persuasive but not precedential. *See* p. 1 n.*, above.

Without support in the case law, no reasonable jurist would treat the protection order as the imposition of *custody*.[4] Given the inability of a court to find *custody*, Ms. Drexler hasn't presented a reasonably debatable challenge to the district court's jurisdictional determination. We thus deny a certificate of appealability.

2. The *Rooker-Feldman* doctrine doesn't cover the § 1983 challenge to the constitutionality of the state statutes.

Ms. Drexler not only sought habeas relief but also sued the state attorney general under § 1983, claiming that the protection order and underlying state statutes were unconstitutional. The district court concluded that it lacked jurisdiction over these claims.

On appeal, Ms. Drexler doesn't question the ruling as to the protection order itself. She instead argues that the district court should not have dismissed her constitutional challenge to the state statutes. In considering this argument, we conduct de novo review. *Miller v. Deutsche Bank Nat'l Tr. Co.*, 666 F.3d 1255, 1260 (10th Cir. 2012).

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[4] Ms. Drexler also alleged that she's been put on the state criminal registry and the national criminal database. But the protection order doesn't address a listing on the state criminal registry or the national criminal database. Granted, deliberate disobedience of the protection order could constitute criminal contempt. *People v. Allen*, 787 P.2d 174, 176 (Colo. App. 1989). But we're not aware of any court that has found custody because of the possibility of contempt for violating a protection order. *Cf. Calhoun v. Att'y Gen. of Colo.*, 745 F.3d 1070, 1074 (10th Cir. 2014) (holding that a threat of future incarceration for failing to register on the sex offender registry does not constitute *custody* for habeas purposes).

In conducting this review, we conclude that the district court erred in applying the *Rooker-Feldman* doctrine. Under this doctrine, federal district courts generally lack jurisdiction to review the correctness of a state-court order. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 283–84 (2005). But this doctrine doesn't prevent federal jurisdiction over a challenge to the validity of state statutes. *Skinner v. Switzer*, 562 U.S. 521, 531–33 (2011). "[A] state-court decision is not reviewable by lower federal courts, but a statute . . . governing the decision may be challenged in a federal action." *Id.* at 532.

In the complaint, Ms. Drexler challenged the constitutionality of the state statutes underlying the protection order: "The Colorado protection order statutes are substantially overbroad and vague, including C.R.S. §13-14-101 and C.R.S. §13-14-106." Appellant's App'x vol. 1, at 59. Consideration of this challenge could incidentally affect the validity of the protection order itself. But this part of the claim addressed only the constitutionality of the state statutes—not the protection order itself. So this part of the claim falls outside of the *Rooker-Feldman* doctrine. *Skinner*, 562 U.S. at 532.

Because the *Rooker-Feldman* doctrine doesn't apply to this part of the claim, a court must address the merits. The district court didn't consider the merits, and the defendants don't address them. So we remand for the district court to consider the merits of Ms. Drexler's challenge to

the state statutes. *See Apartment Inv. & Mgmt. Co. v. Nutmeg Ins. Co.*, 593 F.3d 1188, 1198 (10th Cir. 2010) (stating that the preferred practice is to let the district court decide the issue when it was raised in district court but not yet decided there).

3. The district court did not abuse its discretion by denying Ms. Drexler's request to file a reply brief.

Ms. Drexler objected to the magistrate judge's report and recommendation, and the defendants responded. With the benefit of both sides' submissions, the district court ruled on the objections. Before the clerk entered the order on the docket, Ms. Drexler asked for a chance to file a reply brief. The district court declined, and Ms. Drexler challenges that ruling. We reject this challenge.

In considering this challenge, we apply the abuse-of-discretion standard. *Beaird v. Seagate Tech., Inc.*, 145 F.3d 1159, 1164 (10th Cir. 1998). Under this standard, we reverse only if we're definitely and fairly convinced that the district court clearly erred in its judgment or made an impermissible choice. *Id.*

The federal and local rules were silent on reply briefs for objections to a magistrate judge's report.[5] *See Bistryski v. Allbert*, 848 F. App'x 804,

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[5] Federal Rule of Civil Procedure 72(b)(2) addresses only a party's right to object and the adverse party's right to respond. The rule says nothing about replies.

805 (9th Cir. 2021) (unpublished) ("The district court did not abuse its discretion by considering the magistrate judge's report and recommendation without giving Bistryski an opportunity to reply to defendants' response to his objections because the local rules did not allow for a reply.").[6] And the right to due process didn't entitle Ms. Drexler to file a reply brief. *See NLRB v. Eclipse Lumber Co.*, 199 F.2d 684, 686 (9th Cir. 1952) (statement by the Ninth Circuit that it knew of no due process right to file a reply brief). So the district court had discretion to rule before the filing of a reply brief.

Ms. Drexler relies on Colo. Rev. Stat. § 13-6-311. This statute governs appeals from a county court, not proceedings in federal court. And, as Ms. Drexler acknowledges, the cited statute does not authorize reply briefs. Appellant's App'x vol. 1, at 18–19 ("The statute fails to provide for reply briefs."). The federal district court thus didn't abuse its discretion by declining to allow a reply brief under this Colorado statute.

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[6] For motions, rather than objections to a magistrate judge's report and recommendation, the district court's local rules generally allow the filing of reply briefs. D. Colo. L. Civ. R. 7.1(d). But these rules also expressly allow judges to decide a motion before the filing of a reply brief. *See id.* ("Nothing in this rule precludes a judicial officer from ruling on a motion at any time after it is filed.").

4. The magistrate judge didn't select the district judge assigned to the case.

Ms. Drexler also alleges that the magistrate judge chose which district judge would handle this case. Ms. Drexler is mistaken.

In the District of Colorado, the clerk's office randomly assigns each civil case to a district judge. So when the complaint was filed, the clerk's office randomly assigned U.S. District Judge Babcock to the case.

District courts vary in how they communicate the assignment of the district judge. In this case, the district court communicated the assignment through an order issued by the magistrate judge. His order stated: "Pursuant to D.C.COLO.LCivR 8.1, the Clerk of Court is directed to assign this matter to Senior Judge Lewis T. Babcock." Appellant's App'x vol. 3, at 585. The cited local rule (Rule 8.1) states that the assignment of judges is governed by Local Rule 40.1, and that local rule requires random assignment of judges under a computerized program maintained in the clerk's office. D.C. Colo. L. Civ. R. 8.1(c), 40.1(b).

The clerk's office used this computerized program to assign Judge Babcock to the case. Like many courts, the District of Colorado opted to communicate that assignment through an order issued by the magistrate judge. But the magistrate judge didn't pick Judge Babcock; the computer in the clerk's office did that. The magistrate judge simply communicated that

assignment to the parties. No impropriety existed in the appointment of Judge Babcock.

5. The district court couldn't *void* the state-court orders.

Finally, Ms. Drexler argues that the district court should have voided the state-court orders. But Ms. Drexler suggests no plausible basis for concluding that the state courts lacked jurisdiction to enter the protection orders. We thus have no reason to question the district court's refusal to void the state-court orders. *See Nixon v. City & Cnty of Denver*, 784 F.3d 1364, 1366 (10th Cir. 2015) ("The first task of an appellant is to explain to us why the district court's decision was wrong.").

6. Disposition

We deny a certificate of appealability for the habeas appeal. For the § 1983 claim, we affirm in part, reverse in part, and remand for further proceedings.

Entered for the Court

Robert E. Bacharach
Circuit Judge

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT
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Christopher M. Wolpert
Clerk of Court

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November 30, 2022

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RE: 21-1368, Drexler v. Spahn, et al
Dist/Ag docket: 1:21-CV-00805-LTB-GPG

Dear Counsel:

Attached is a copy of the order and judgment issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40(a)(1), any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 3900 words or 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R.35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,

Christopher M. Wolpert
Clerk of Court

cc: Emily Burke Buckley
Katherine Field

CMW/at

EXHIBIT 2

FILED
United States Court of Appeals
Tenth Circuit

January 13, 2023

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

REGINA T. DREXLER,

Plaintiff - Appellant,

v.

HONORABLE THERESA SPAHN, in her official capacity, et al.,

Defendants - Appellees.

No. 21-1368
(D.C. No. 1:21-CV-00805-LTB-GPG)
(D. Colo.)

ORDER

Before **BACHARACH**, **McHUGH**, and **MORITZ**, Circuit Judges.

Appellant's petition for rehearing is denied.

The petition for rehearing en banc was transmitted to all of the judges of the court who are in regular active service. As no member of the panel and no judge in regular active service on the court requested that the court be polled, that petition is also denied.

Entered for the Court

CHRISTOPHER M. WOLPERT, Clerk

EXHIBIT 3

☐ Municipal Court ☑ County Court ☐ District Court ☐ Denver Juvenile ☐ Denver Probate

Denver County Court, Colorado

Court Address: **1437 Bannock St., # 170, Denver, CO 80202**

720-865-7275

Plaintiff / Petitioner:

BROWN, RACHEL

v.

Defendant / Respondent:

DREXLER, REGINA

Address:

2054 EUDORA ST

DENVER, CO 80205

▲ **COURT USE ONLY** ▲

Case Number: 15W1242

Courtroom: 170

PERMANENT CIVIL PROTECTION ORDER ISSUED PURSUANT TO §13-14-106, C.R.S.

To Respondent/Restrained Person ☐ Protected Person alleges Weapon Involved	Date of Birth	Sex	Race	Weight	Height	Hair Color	Eye Color
DREXLER, REGINA	04/16/1967	Female	White	118	5'04"	Blonde	Green

Full Name of Protected Person	Date of Birth	Sex	Race	Full Name of Protected Person	Date of Birth	Sex	Race
BROWN, RACHEL	03/28/1968	Female	White		00/00/0000		
WEAVER, GEORGE	06/06/2002	Male	White		00/00/0000		
WEAVER, HENRY	08/07/1999	Male	White		00/00/0000		
	00/00/0000				00/00/0000		

The Court Finds that it has jurisdiction over the parties and the subject matter; that the Restrained Person was personally served and given reasonable notice and opportunity to be heard; that the Restrained Person constitutes a credible threat to the life and health of the Protected Persons named in this action; and sufficient cause exists for the issuance of a Civil Protection Order.

The Court Finds that the Restrained Person ☒ is ☐ is not governed by the Brady Handgun Violence Prevention Act, 18 U.S.C. §922(d)(8) and (g)(8).

This Protection Order DOES NOT EXPIRE and only the Court can change this Order.
A violation of a Protection Order is a crime and may be prosecuted as a misdemeanor, municipal ordinance violation, or a delinquent act (if committed by a juvenile) pursuant to §18-6-803.5, C.R.S., and municipal ordinance.

The Court Orders that you, the Restrained Person, shall not contact, harass, stalk, injure, intimidate, threaten, touch, sexually assault, abuse, or molest the Protected Persons named in this action, or harm, take, transfer, conceal, or dispose of or threaten harm to an animal owned, possessed, leased, kept or held by any protected party, a minor child of any other party, or otherwise violate this Order. You shall not use, attempt to use, or threaten to use physical force against the Protected Persons that would reasonably be expected to cause bodily injury. You shall not engage in any conduct that would place the Protected Persons in reasonable fear of bodily injury.

1. ***Contact.***

It is ordered that you, the Restrained Person, **shall have no contact of any kind** with the Protected Persons and you shall not attempt to contact said Protected Persons through any third person, except your attorney,

☑ **except as follows:**

The defendant may have ingress and egress to, his/her school and school events, but must remain at least 10 feet from the plaintiff at all times and must not bother, molest, intimidate nor have any sort of communication with the plaintiff. Respondent must stay 100 yards away from both of petitioners homes.

2. *Exclusion from places.*

You must keep a distance of at least 10 ft. from the Protected Persons, where ever they may be found.

It is ordered that you be excluded from the following places and shall stay at least 10 yards away from the following places: (Please specify address(es) where the Protected Persons reside, work or attend school.)

☐ The Protected Person has requested that the address be omitted from the written order of the Court, including the Register of Actions.

☑ Home: 6220 E 6TH AVE DENVER 80220

☐ Work: Name: ______________ Address: ______________

☐ School: Name: ______________ Address: ______________

☑ Other: 22097 HWY 6 (ST JOHNS CONDOS) KEYSTONE, CO 80435

☐ Exceptions:

3. *Care and Control Provisions*

☐ It is in the best interest of the minor children that care and control of these children be awarded to: ______________ (name of person)

This temporary care and control order and all other issues concerning the children, including Parenting Time and Interim Decision-Making Responsibilities expires on ______________ (date) not to exceed one year from this Order. All other provisions of this Order remain in full force and effect permanently.

This Order gorverns any other Orders concerning the care and control of said children. However, provisions in another Order concerning the children that do not conflict with this Order must be followed.

4. *Issues Concerning Children (Parenting Time and Decision-Making Responsibilities)*

☐ Parenting time is granted, expires on ________ (date) and shall be as follows:

____

☐ Interim decision-making responsibilities expire on ______________ (date) and shall be as follows:

- ☐ ______________ (name of person) shall have sole decsion making-responsibilities.
- ☐ The parties shall jointly share decision-making responsibilities.
- ☐ Other as set forth in the "Other Provision" section.

☐ Parenting Time and Decision-Making Responsibilities shall be as previously ordered by the ______________ District Court, Case #________

5. *Other Provisions.*

☐ A Temporary injunction is hereby entered by this Court and is in effect until ____________ (date) not to exceed one year after the issuance of this Order. This injunction restrains the Restrained Person from ceasing to make payments for mortgage or rent, insurance, utilities or related services, transportation, medical care, or child care when the Restrained Person has a prior exsiting duty or legal obligation to make such payments or from transferring, encumbering, concealing, or in any way disposing of personal effects or real property, except in the usual course of business or for the necessities of life and requires the Restrained Person to account to the court for all extraordinary expenditures made after the injunction is entered.

☐ The Restrained Person shall not possess and/or purchase a firearm, ammunition, or other weapon.
☑ The Court waives all fees and no fees for service should be assessed pursuant to §13-14-109, C.R.S.
☐ Fees shall be paid by the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Arrangements for possession and care of an animal are as follows:

____

☐ The Restrained Person shall not interfere with the protected person at the person's place of employment or place of education and shall not engage in conduct that impairs the protected person's employment, educational relationships, or environment.

6. *Mandatory For Domestic Abuse Protection Orders:*

☑ The Restrained Person shall not possess and/or purchase a firearm, ammunition, or other weapon AND, shall relinquish any firearm within 24 hours, and shall relinquish ammunition within 24 hours. The Restrained Person shall file proof of the relinquishment with the court, as required by statute.

☐ It is further ordered that

____

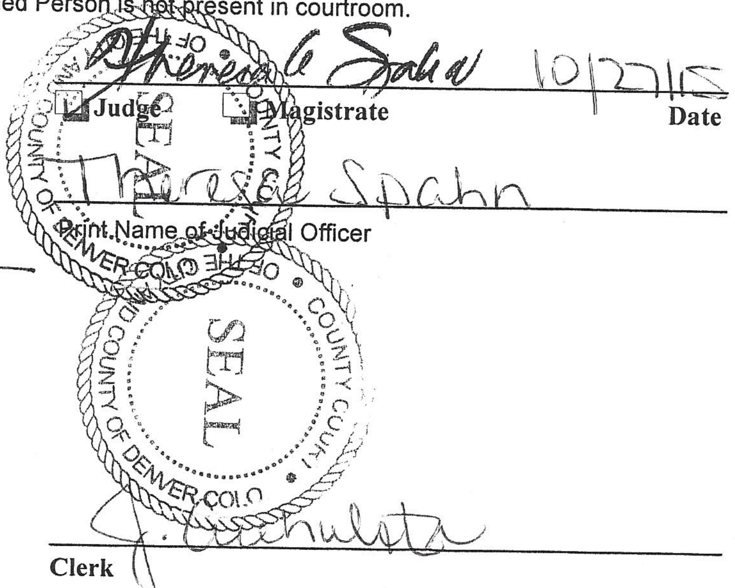
☐ This Permanent Protection Order is identical to the Temporary Protection Order and does not require service on the Restrained Person.

☑ This Permanent Protection Order is different from the Temporary Protection Order and requires service on the Restrained Party before its provisions become effective.

☑ Served Restrained Party in Open Court on 10/27/2015 (date).

By signing, I acknowledge receipt of this Order or ☐ Restrained Person is not present in courtroom.

10·27·15
Plaintiff/Petitioner **Date**



10/27/15
☑ **Judge** ☐ **Magistrate** **Date**

Theresa Spahn
Print Name of Judicial Officer

Defendant/Respondent **Date**

I certify that is true and complete copy of the original order.

Date 10/27/15

Clerk

Law Enforcement shall use all reasonable means to enforce this Protection Order.

IMPORTANT INFORMATION ABOUT PROTECTION ORDERS

GENERAL INFORMATION

- This Order or injunction shall be accorded full faith and be enforced in every civil or criminal court of the United States, Indian Tribe or United States Territory pursuant to 18 U.S.C. § 2265. This Court has jurisdiction over the parties and the subject matter.
- Pursuant to 18 U.S.C. § 922(g)(8), it is unlawful for any person to possess or transfer a firearm who is subject to a court order that restrains such person from harassing, stalking or threatening an intimate partner of such person or a child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child.

NOTICE TO RESTRAINED PARTY

- A violation of a protection order may be a misdemeanor, municipal ordinace violation or a delinquent act (if committed by a juvenile) and is a deportable offense. Anyone over the age of 18 who violates this Order may be subject to fines of up to $5,000.00 and up to 18 months in jail. Violation of this Order may constitute contempt of Court. Anyone under the age of 18 who violates this Order may be subject to commitment to the Department of Human Services for up to two years.
- You may be arrested or taken into custody without notice if a law enforcement officer has probable cause to believe that you have violated this Order.
- If you violate this Order thinking that the other party or anyone else has given you permission, YOU ARE WRONG. and can be arrested and prosecuted. The terms of this Order cannot be changed by agreement of the parties.ONLY THE COURT CAN CHANGE THIS ORDER.
- Possession of a firearm while this Permanent Protection Order is in effect, may constitute a Felony under Federal Law, 18 U.S.C. § 922(g)(8).
- You may apply to the Court for a modification or dismissal of a protection order after two years from the date of issuance of the Permanent Protection Order per §13-14-108(2)(b), C.R.S.

NOTICE TO PROTECTED PARTY

- You are hearby informed that if this Order is violated you may call law enforcement.
- **You may initiate contempt proceedings against the Restrained Party if the Order is issued in a civil action or request the prosecuting attorney to initiate contempt proceedings if the order is issued in a criminal action.**
- You can not give the Restrained Party permission to change or ignore this Order in any way.
  ONLY THE COURT CAN CHANGE THIS ORDER.
- You may apply to the court for a modification or dismissal of a protection order at any time, per §13-14-108(2)(a), C.R.S.

NOTICE TO LAW ENFORCEMENT OFFICERS

- If the Order has not been personally served, the law enforcement officer responding to a call of assistance, shall serve a copy of said order on the person named/Restrained Person therin and shall write the time, date, and manner of service on the Protected Persons copy of such Order and shall sign such statement. The officer shall provide the Court with a completed return of service form. (§13-14-107(2-3), C.R.S.)
- You shall use every reasonable means to enforce this Protection Order.
- You shall arrest or take into custody, or if an arrest would be impractical under the circumstances, seek a warrant for the arrest of the Restrained Person when you have information amounting to probable cause that the Restrained Person has violated or attempted to violate any provision of this Order subject to criminal sanctions pursuant to §18-6-803.5 CRS or municipal ordinance, and the Restrained Person has been properly served with a copy of this Order or the Restrained Person has received actual notice of the existence and substence of such Order.
- You shall enforce this Order even if there is no record of it in the Protection Order Central Registry.
- You shall take the Restrained Party to the nearest jail or detention facility.
- You are authorized to use every reasonable effort to protect the Protected Parties to prevent further violence.
- You may transport, or arrange transportation to a shelter for the Protected Parties.

EXHIBIT 4

☐ Municipal Court ☑ County Court ☐ District Court ☐ Denver Juvenile ☐ Denver Probate
Denver County Court, Colorado
Court Address: **1437 Bannock St., # 170, Denver, CO 80202**
720-865-7275

Plaintiff / Petitioner:
BROWN, RACHEL
v.
Defendant / Respondent:
DREXLER, REGINA
Address:
2054 EUDORA ST
DENVER, CO 80205

▲ **COURT USE ONLY** ▲

Case Number: **15W1242**

Courtroom: **170**

PERMANENT CIVIL PROTECTION ORDER ISSUED PURSUANT TO §13-14-106, C.R.S.

To Respondent/Restrained Person ☐ Protected Person alleges Weapon Involved	Date of Birth	Sex	Race	Weight	Height	Hair Color	Eye Color
DREXLER, REGINA	04/16/1967	Female	White	118	5'04"	Blonde	Green

Full Name of Protected Person	Date of Birth	Sex	Race	Full Name of Protected Person	Date of Birth	Sex	Race
BROWN, RACHEL	03/28/1968	Female	White		00/00/0000		
WEAVER, GEORGE	06/06/2002	Male	White		00/00/0000		
WEAVER, HENRY	08/07/1999	Male	White		00/00/0000		
	00/00/0000				00/00/0000		

The Court Finds that it has jurisdiction over the parties and the subject matter; that the Restrained Person was personally served and given reasonable notice and opportunity to be heard; that the Restrained Person constitutes a credible threat to the life and health of the Protected Persons named in this action; and sufficient cause exists for the issuance of a Civil Protection Order.

The Court Finds that the Restrained Person ☐ is ☒ is not governed by the Brady Handgun Violence Prevention Act, 18 U.S.C. §922(d)(8) and (g)(8).

This Protection Order DOES NOT EXPIRE and only the Court can change this Order.
A violation of a Protection Order is a crime and may be prosecuted as a misdemeanor, municipal ordinance violation, or a delinquent act (if committed by a juvenile) pursuant to §18-6-803.5, C.R.S., and municipal ordinance.

The Court Orders that you, the Restrained Person, shall not contact, harass, stalk, injure, intimidate, threaten, touch, sexually assult, abuse, or molest the Protected Persons named in this action, or harm, take, transfer, conceal, or dispose of or threaten harm to an animal owned, possessed, leased, kept or held by any protected party, a minor child of any other party, or otherwise violate this Order. You shall not use, attempt to use, or threaten to use physical force against the Protected Persons that would reasonably be expected to cause bodily injury. You shall not engage in any conduct that would place the Protected Persons in reasonable fear of bodily injury.

1. *Contact.*

It is ordered that you, the Restrained Person, **shall have no contact of any kind** with the Protected Persons and you shall not attempt to contact said Protected Persons through any third person, except your attorney,

☑ **except as follows:**

NO EXCEPTIONS

2. *Exclusion from places.*

You must keep a distance of at least 100 yards from the Protected Persons, where ever they may be found.

It is ordered that you be excluded from the following places and shall stay at least 100 yards away from the following places:
(Please specify address(es) where the Protected Persons reside, work or attend school.)

☐ The Protected Person has requested that the address be omitted from the written order of the Court, including the Register of Actions.

☑ Home: 6220 E 6TH AVE DENVER 80220

☐ Work: Name: ______________________ Address: ______________________

☑ School: Name: UC DENVER Address: 1250 14TH ST. DENVER, CO

☑ Other: 22097 HWY 6 (ST JOHNS CONDOS) KEYSTONE, CO 80435

☐ Exceptions:

3. *Care and Control Provisions*

☐ It is in the best interest of the minor children that care and control of these children be awarded to: ______________ (name of person)

This temporary care and control order and all other issues concerning the children, including Parenting Time and Interim Decision-Making Responsibilities expires on ______________ (date) not to exceed one year from this Order. All other provisions of this Order remain in full force and effect permanently.

This Order gorverns any other Orders concerning the care and control of said children. However, provisions in another Order concerning the children that do not conflict with this Order must be followed.

4. *Issues Concerning Children (Parenting Time and Decision-Making Responsibilities)*

☐ Parenting time is granted, expires on ________ (date) and shall be as follows:

____

☐ Interim decision-making responsibilities expire on ____________________ (date) and shall be as follows:

- ☐ ________________________ (name of person) shall have sole decsion making-responsibilities.
- ☐ The parties shall jointly share decision-making responsibilities.
- ☐ Other as set forth in the "Other Provision" section.

☐ Parenting Time and Decision-Making Responsibilities shall be as previously ordered by the ______________________ District Court, Case #_________

5. *Other Provisions.*

☐ A Temporary injunction is hereby entered by this Court and is in effect until ____________ (date) not to exceed one year after the issuance of this Order. This injunction restrains the Restrained Person from ceasing to make payments for mortgage or rent, insurance, utilities or related services, transportation, medical care, or child care when the Restrained Person has a prior exsiting duty or legal obligation to make such payments or from transferring, encumbering, concealing, or in any way disposing of personal effects or real property, except in the usual course of business or for the necessities of life and requires the Restrained Person to account to the court for all extraordinary expenditures made after the injunction is entered.

☐ The Restrained Person shall not possess and/or purchase a firearm, ammunition, or other weapon.

☐ The Court waives all fees and no fees for service should be assessed pursuant to §13-14-109, C.R.S.

☑ Fees shall be paid by the ☐ Plaintiff/Petitioner ☑ Defendant/Respondent

☐ Arrangements for possession and care of an animal are as follows:

____

☑ The Restrained Person shall not interfere with the protected person at the person's place of employment or place of education and shall not engage in conduct that impairs the protected person's employment, educational relationships, or environment.

6. *Mandatory For Domestic Abuse Protection Orders:*

☐ The Restrained Person shall not possess and/or purchase a firearm, ammunition, or other weapon AND, shall relinquish any firearm within , and shall relinquish ammunition within . The Restrained Person shall file proof of the relinquishment with the court, as required by statute.

☑ It is further ordered that

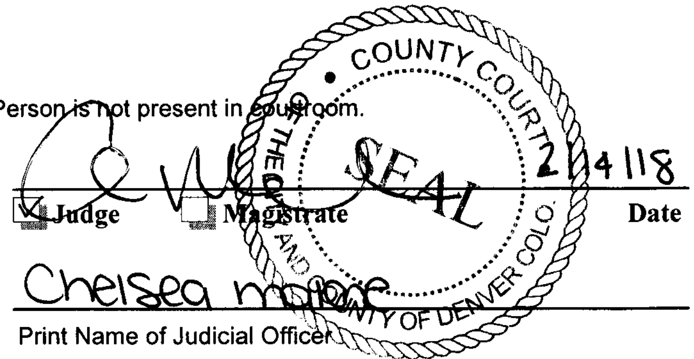
RESP. IS ALLOWED ON UCD CAMPUS ONLY WHEN ENROLLED AS A UCD STUDENT AND AT ALL TIMES MUST REMAIN 10FT FROM PEITIONER AND SHALL NOT ATTEND PETITIONERS LECTURES. IN ADDITION, RESP. MUST REMAIN 100 YARDS FROM PET. AT ALL TIMES EXCEPT WHEN COMMUTING DIRECTLY TO/FROM AND ATTENDING WORK, AT WHICH TIME, THE BUFFER ZONE IS REDUCED TO 10FT.

☐ This Permanent Protection Order is identical to the Temporary Protection Order and does not require service on the Restrained Person.

☑ This Permanent Protection Order is different from the Temporary Protection Order and requires service on the Restrained Party before its provisions become effective.

☐ Served Restrained Party in Open Court on ____________ (date).

By signing, I acknowledge receipt of this Order or ☑ Restrained Person is not present in courtroom.



Lara Marks Baker 2/14/18
Plaintiff/Petitioner **Date**

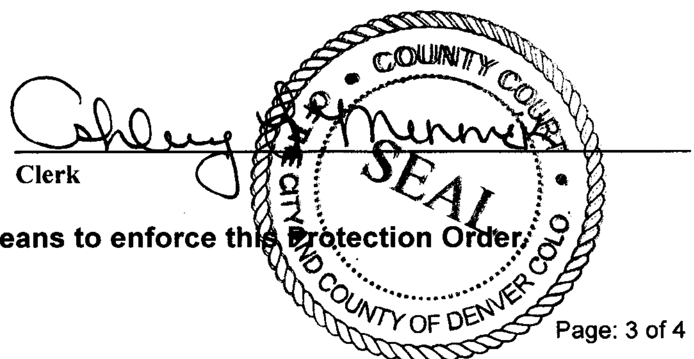
2/14/18
☑ **Judge** ☐ **Magistrate** **Date**

Chelsea Moore
Print Name of Judicial Officer

____
Defendant/Respondent **Date**

I certify that is true and complete copy of the original order.

Date 2/14/18



Clerk

Law Enforcement shall use all reasonable means to enforce this Protection Order.

IMPORTANT INFORMATION ABOUT PROTECTION ORDERS

GENERAL INFORMATION

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- Pursuant to 18 U.S.C. § 922(g)(8), it is unlawful for any person to possess or transfer a firearm who is subject to a court order that restrains such person from harassing, stalking or threatening an intimate partner of such person or a child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child.

NOTICE TO RESTRAINED PARTY

- A violation of a protection order may be a misdemeanor, municipal ordinace violation or a delinquent act (if committed by a juvenile) and is a deportable offense. Anyone over the age of 18 who violates this Order may be subject to fines of up to $5,000.00 and up to 18 months in jail. Violation of this Order may constitute contempt of Court. Anyone under the age of 18 who violates this Order may be subject to commitment to the Department of Human Services for up to two years.
- You may be arrested or taken into custody without notice if a law enforcement officer has probable cause to believe that you have violated this Order.
- If you violate this Order thinking that the other party or anyone else has given you permission, YOU ARE WRONG. and can be arrested and prosecuted. The terms of this Order cannot be changed by agreement of the parties.ONLY THE COURT CAN CHANGE THIS ORDER.
- Possession of a firearm while this Permanent Protection Order is in effect, may constitute a Felony under Federal Law, 18 U.S.C. § 922(g)(8).
- You may apply to the Court for a modification or dismissal of a protection order after two years from the date of issuance of the Permanent Protection Order per §13-14-108(2)(b), C.R.S.

NOTICE TO PROTECTED PARTY

- You are hearby informed that if this Order is violated you may call law enforcement.
- **You may initiate contempt proceedings against the Restrained Party if the Order is issued in a civil action or request the prosecuting attorney to initiate contempt proceedings if the order is issued in a criminal action.**
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  ONLY THE COURT CAN CHANGE THIS ORDER.
- You may apply to the court for a modification or dismissal of a protection order at any time, per §13-14-108(2)(a), C.R.S.

NOTICE TO LAW ENFORCEMENT OFFICERS

- If the Order has not been personally served, the law enforcement officer responding to a call of assistance, shall serve a copy of said order on the person named/Restrained Person therin and shall write the time, date, and manner of service on the Protected Persons copy of such Order and shall sign such statement. The officer shall provide the Court with a completed return of service form. (§13-14-107(2-3), C.R.S.)
- You shall use every reasonable means to enforce this Protection Order.
- You shall arrest or take into custody, or if an arrest would be impractical under the circumstances, seek a warrant for the arrest of the Restrained Person when you have information amounting to probable cause that the Restrained Person has violated or attempted to violate any provision of this Order subject to criminal sanctions pursuant to §18-6-803.5 CRS or municipal ordinance, and the Restrained Person has been properly served with a copy of this Order or the Restrained Person has received actual notice of the existence and substence of such Order.
- You shall enforce this Order even if there is no record of it in the Protection Order Central Registry.
- You shall take the Restrained Party to the nearest jail or detention facility.
- You are authorized to use every reasonable effort to protect the Protected Parties to prevent further violence.
- You may transport, or arrange transportation to a shelter for the Protected Parties.