**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

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|       |  |  | Case # : |       |
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| v. |  |  | SBI #: |  |       | DOB: |  |       |
|  |  |  | JP Court: |  |  |  |  |
|  |  |  |  |  |       |
|       |  |  | Complaint #: |       |  |
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**ORDER ON RESPONDENT’S REQUEST TO**

**RE-SCHEDULE HEARING ON PETITIONER’S AFFIDAVIT AND APPLICATION FOR A LETHAL VIOLENCE PROTECTIVE ORDER**

**WHEREAS**, on       [date] the Petitioner filed an Affidavit and Application for a Lethal Violence Protective Order, pursuant to 10 *Del. C.* § 7703(a), in the Justice of the Peace Court, alleging that the Respondent posed an immediate and present danger of causing physical injury to self or others by controlling, purchasing, owning, possessing, having access to, or receiving a firearm and identified the location of any firearms believed that the Respondent currently owns, possesses, has access to or controls;

**WHEREAS**, the Justice of the Peace Court, on       [date], upon ex parte consideration of Petitioner’s Affidavit and Application for a Lethal Violence Protective Order, pursuant to 10 *Del. C.* § 7703(a), found by a preponderance of the evidence that the Respondent poses an immediate and present danger of causing physical injury to self or others by owning, possessing, controlling, purchasing, having access to, or receiving a firearm, issued a Temporary Ex Parte Lethal Violence Protective Order;

**WHEREAS**, pursuant to 10 *Del. C.* § 7704(f), upon the Justice of the Peace Court’s issuance of an emergency Lethal Violence Protective Order, the Superior Court must hold a full hearing in compliance with 10 *Del. C.* § 7704, within 15 days of the filing of the Petition; the Superior Court may extend the Justice of the Peace Court’s emergency order as needed to effectuate service of the order or where necessary to ensure the protection of the respondent or others, but the duration of the order may not exceed 45 days;

**WHEREAS**, on       [date] the Court **ORDERED** that a hearing to determine whether to issue a Lethal Violence Protective Order be scheduled for       [date] at       [time] (“Hearing”);

**WHEREAS**, on       [date] Respondent filed a request to have the Hearing rescheduled;

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

**NOW THEREFORE**, this       day of       [month],       [year] the Superior Court having reviewed Respondent’s request to have the Hearing rescheduled finds that

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| [ ]  | Respondent’s request to reschedule the hearing is granted, for good cause shown, and the hearing will be rescheduled for       [date] and       [time] so that the Respondent may be heard, present evidence and cross examine adverse witnesses.  |
| [ ]  | Respondent’s request to reschedule the hearing is denied and the hearing will take place at the date and time originally set forth in the Court’s Order on       [date]. |

**IT IS FURTHER ORDERED** that a copy of this Order shall be mailed, U.S. Mail, First Class, Postage Pre-Paid to the Petitioner and the Respondent, and that this Order shall be served on the Respondent at Respondent’s address as set forth in the Affidavit and Application for a Lethal Violence Protective Order filed in the Justice of the Peace Court.

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