

New Jersey Domestic Violence Civil Complaint and Temporary Restraining Order

TRO Amended TRO

N.J.S.A. 2C:25-17 et seq.

Superior Court, Chancery Division, Family Part, _____ County Municipal Court of **NEWARK CITY**

Docket Number FV-07-000224-21		Police Case Number C20028135	
In the Matter of Plaintiff (Victim) HINKSON DENEEN E			Plaintiff's Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
			Plaintiff's Date of Birth 07/03/1964
Defendant Information		Last Name MULLINGS	First Name WESLEY
AKA		Defendant's Social Security Number XXX-XX-5613	Initial K
Home Address 125 LINCOLN AVE APT C7		City NEWARK	State NJ
Home Phone Number		Work Phone Number	Zip 07104
Employer		Date of Birth 12/17/1972	Defendant's Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Work Address		Height 6 00	Race BLACK
		Weight 245	Eye Color BROWN
		Hair Color BROWN	
		Distinguishing Features (Scars, Facial Hair, Etc.)	
		Driver's License Number	
		State	Driver's License Expiration Date

The undersigned complains that said defendant did endanger plaintiff's life, health or well being (give specific facts regarding acts or threats of abuse and the date(s) and time(s) they occurred; specify any weapons):

ON (Date) AT (Time)
07/14/2020 12:35 PM

BY (Details; specify any weapons)

UNIT 211, CONSISTING OF OFFICER PRINCE OBENG (10892) AND I, WERE DISPATCHED TO A DOMESTIC VIOLENCE IN PROGRESS AT 125 LINCOLN AVE.

UPON ARRIVAL, WE WERE MET THE VICTIM (MS DENEEN E HINKSON). SHE ADVISED OFFICERS THAT HER BOYFRIEND (MR. WESLEY MULLINGS) HAS BEEN USING "ABUSIVE LANGUAGE" TOWARDS HER. WHEN ASKED TO EXPLAIN, SHE STATED THAT SHE HAS BEEN DATING MR. MULLINGS SINCE APPROXIMATELY JUNE OF 2019. THEN ON APPROXIMATELY FEBRUARY 10, 2020, SHE ALLOWED MR MULLINGS TO MOVE INTO HER APARTMENT BECAUSE THE FRIEND HE WAS STAYING WITH HAD LOST THE HOUSE AND HE HAD NO OTHER PLACE TO STAY.

SINCE THAT TIME, MS HINKSON STATES THAT HE HAS BEEN REPEATEDLY HAVING MOOD SWINGS, WHICH SHE BELIEVES IS CAUSED BY HIS POST-TRAUMATIC STRESS DISORDER . DURING THESE MOOD SWINGS, HE BEGINS TO YELL AT HER AND USE "ABUSIVE LANGUAGE" TOWARDS HER. MS. HINKSON THEN PROVIDED OFFICERS WITH THE FOLLOWING EXAMPLE. SHE ADVISED OFFICERS THAT ON ONE OCCASION, SHE WAS SIMPLY ADVISING HIM THAT HE NEEDED TO KEEP UP WITH HIS VETERAN AFFAIRS PAPER WORK AT WHICH POINT, HE SNAPPED AND BEGAN YELLING AND CURSING AT HER FOR NO REASON. MS HINKSON CLAIMS THAT THIS HAS HAPPENED ON MULTIPLE OCCASIONS.

THEN, TODAY (07/14/20) AT APPROXIMATELY 1235 HRS SHE STATED THAT WHILE THEY WERE IN THE APARTMENT, MR MULLINGS BEGAN TO ARGUE AGAIN TO THE POINT WHERE HE SAID " AND I WAS GOING TO HELP YOUR STUPID ASS" AND CONTINUED TO CURSE AND USE ABUSIVE LANGUAGE TOWARDS HER. WHEN HE LEFT, SHE CALLED POLICE. ACTOR WAS NOT ON SCENE UPON OUR ARRIVAL.

PLEASE NOTE THAT OFFICERS RESPONDED TO THE LOCATION EARLIER IN THE DAY UNDER EVENT #P20324757 . IN THAT INCIDENT, OFFICERS WERE ASKED TO SIMPLY SPEAK TO MR MULLINGS TO GET HIM TO MOVE FROM THE LOCATION.

MS. HINKSON WAS ADVISED OF HER DOMESTIC VIOLENCE RIGHT AND ACCEPTED POLICE ASSISTANCE IN OBTAINING A TEMPORARY RESTRAINING ORDER. WE THEN TRANSPORTED HER TO THE 2ND PRECINCT. SHE DID HOWEVER, DECLINE DOMESTIC VIOLENCE RESPONSE TEAM SERVICES.

which constitute(s) the following criminal offenses(s): (Check all applicable boxes. Law Enforcement Officer: Attach N.J.S.P. UCR DV1 offense report(s)):

- | | | | | | | |
|--|--|---|---|--|--|--|
| <input type="checkbox"/> Homicide | <input type="checkbox"/> Terroristic Threats | <input type="checkbox"/> Criminal Restraint | <input type="checkbox"/> Sexual Assault | <input type="checkbox"/> Lewdness | <input type="checkbox"/> Burglary | <input checked="" type="checkbox"/> Harassment |
| <input type="checkbox"/> Assault | <input type="checkbox"/> Kidnapping | <input type="checkbox"/> False Imprisonment | <input type="checkbox"/> Criminal Sexual Contact | <input type="checkbox"/> Criminal Mischief | <input type="checkbox"/> Criminal Trespass | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Criminal Coercion | <input type="checkbox"/> Robbery | <input type="checkbox"/> Contempt of a DV Order | <input type="checkbox"/> Any Other Crime Involving Risk of Death or Serious Bodily Injury | | | <input type="checkbox"/> Cyber Harassment |

1. Any prior history of domestic violence reported or unreported? If Yes, explain: Yes No

2. Does Defendant have a criminal history? (If Yes, submit any available criminal history report) Yes No

3. Any prior or pending court proceedings involving parties? (If Yes, enter docket number, court, county, state) Yes No

4. Has a criminal complaint been filed in this matter? (If Yes, enter date, docket number, court, county, state) Yes No

5. If Law Enforcement Officers responded to a domestic violence call:

Were weapons seized? If Yes, describe: Yes No Was Defendant arrested? If Yes, describe: Yes No

Docket Number FV-07-000224-21	Defendant's Name WESLEY K MULLINGS												
6. (A) The Plaintiff and Defendant are 18 years old or older or emancipated and are: (select one) <input type="checkbox"/> Married / Civil Union <input type="checkbox"/> Divorced <input type="checkbox"/> Present Household Member <input type="checkbox"/> Was at Any Time a Household Member OR (B) The Defendant is 18 years old or older or emancipated and Plaintiff and Defendant are: (select one) <input type="checkbox"/> Unmarried <input type="checkbox"/> Co-Parents <input type="checkbox"/> Expectant Parents <input checked="" type="checkbox"/> Plaintiff and Defendant have had a dating relationship													
7. Where appropriate list children you have with the Defendant, if any (include name, sex, date of birth, person with whom child resides) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:35%;">Child's Name: Last</td> <td style="width:15%;">First</td> <td style="width:10%;">M.I.</td> <td style="width:10%;">Sex</td> <td style="width:15%;">Birth Date</td> <td style="width:15%;">Resides</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>		Child's Name: Last	First	M.I.	Sex	Birth Date	Resides						
Child's Name: Last	First	M.I.	Sex	Birth Date	Resides								
8. The Plaintiff and Defendant: <input checked="" type="checkbox"/> Presently; <input type="checkbox"/> Previously; <input type="checkbox"/> Never: Resided Together <input type="checkbox"/> Family Relationship: What is your relationship to the defendant? _____ (Specify)													
Certification													
I certify that the foregoing responses made by me are true. I am aware that if any of the foregoing responses made by me are willfully false, I am subject to punishment.													
_____ Date	_____ DENEEN E HINKSON Signature of Plaintiff												

NOTICE TO DEFENDANT: A violation of any of the provisions listed in this order may constitute either civil or criminal contempt pursuant to N.J.S.A. 2C:25-30 and may result in your arrest, prosecution, and possible incarceration, as well as an imposition of a fine or jail sentence. **Only a court can modify any of the terms or conditions of this court order.**

Docket Number
FV-07-000224-21

Defendant's Name
WESLEY K MULLINGS

Part 1 - RELIEF - Instructions: Relief sought by Plaintiff

DEFENDANT:

- | TRO | FRO | TRO Granted | |
|---|-------------------------------------|-------------------------------------|--|
| 1. <input checked="" type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | You are prohibited from returning to the scene of violence. |
| 2. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | You are prohibited from future acts of domestic violence. |
| 3. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | You are barred from the following locations: <input checked="" type="checkbox"/> Residence(s) of Plaintiff <input checked="" type="checkbox"/> Place(s) of employment of Plaintiff
<input type="checkbox"/> Other (Only list addresses known to Defendant): |
| 4. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | You are prohibited from having any oral, written, personal, electronic, or other form of contact or communication with Plaintiff.
<input type="checkbox"/> Other(s): |
| 5. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | You are prohibited from making or causing anyone else to make harassing communications to: Plaintiff
<input type="checkbox"/> Other(s) - Same as item 4 above or list names: |
| 6. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | You are prohibited from stalking, following or threatening to harm, stalk or follow: Plaintiff
<input type="checkbox"/> Other(s) - Same as item 4 above or list names: |
| 7. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | You must pay emergent monetary relief to (describe amount and method):
<input type="checkbox"/> Plaintiff:
<input type="checkbox"/> Dependent(s): |
| 8. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | You must be subject to intake monitoring of conditions and restraints:
<input type="checkbox"/> Other (evaluations or treatment - describe): |
| 9. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Psychiatric evaluation: |
| 10. <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Prohibition Against Possession of Weapons: You are prohibited from possessing any and all firearms or other weapons and must immediately surrender these firearms, weapons, permit(s) to carry, application(s) to purchase firearms and firearms purchaser ID card to the officer serving this Court Order. Failure to do so may result in your arrest and incarceration.
ANY AND ALL WEAPONS OBSERVED |

PLAINTIFF:

11. You are granted exclusive possession of (list residence or alternate housing only if specifically known to defendant):
12. You are granted temporary custody of:
13. Other relief for - Plaintiff:
 Other relief for - Children:

LAW ENFORCEMENT OFFICER:

You are to accompany to scene, residence, shared place of business, other (indicate address, time, duration and purpose):

Plaintiff:

Defendant:

NOTICE TO DEFENDANT: A violation of any of the provisions listed in this order may constitute either civil or criminal contempt pursuant to *N.J.S.A. 2C:25-30* and may result in your arrest, prosecution, and possible incarceration, as well as an imposition of a fine or jail sentence. **Only a court can modify any of the terms or conditions of this court order.**

Docket Number FV-07-000224-21	Defendant's Name WESLEY K MULLINGS
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Warrant to Search for and to Seize Weapons for Safekeeping

To any law enforcement officer having jurisdiction - this Order shall serve as a warrant to search for and to seize any issued permit to carry a firearm, application to purchase a firearm and firearms purchaser identification card issued to the defendant and the following firearm(s) or other weapon(s). Describe the weapons to be seized:

1. **You are hereby commanded** to search for the above described weapons and/or permits to carry a firearm, application to purchase a firearm and firearms purchaser identification card and to serve a copy of this Order upon the person at the premises or location described as:

2. **You are hereby ordered** in the event you seize any of the above described weapons, to give a receipt for the property so seized to the person from whom they were taken or in whose possession they were found, or in the absence of such person to have a copy of this Order together with such receipt in or upon the said structure from which the property was taken.

3. **You are authorized** to execute this Order immediately or as soon thereafter as is practicable:
 Anytime Other: _____

4. **You are further ordered**, after the execution of this Order, to promptly provide the Court with a written inventory of the property seized per this Order.

Part 2 - RELIEF - DEFENDANT:

- | TRO | FRO | TRO Granted | |
|-----------------------------|--------------------------|--------------------------|--|
| 1. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No parenting time / visitation until further ordered; |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Parenting time / visitation pursuant to _____ suspended until further order: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Parenting time / visitation permitted as follows: |
| 2. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Risk assessment ordered (specify by whom, any requirements, dates): |
| 3. <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | You must provide compensation as follows: |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Emergent support for Plaintiff: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | for Dependent(s): _____ |
| N/A | <input type="checkbox"/> | <input type="checkbox"/> | Ongoing support for Plaintiff: _____ |
| N/A | <input type="checkbox"/> | <input type="checkbox"/> | for Dependent(s): _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Compensatory damages to Plaintiff: _____ |
| N/A | <input type="checkbox"/> | <input type="checkbox"/> | Punitive damages to Plaintiff: _____ |
| N/A | <input type="checkbox"/> | <input type="checkbox"/> | to Third Party(ies) (describe): _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Medical coverage for Plaintiff: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | for Dependent(s): _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Rent <input type="checkbox"/> Mortgage payments (specify amount(s) and recipient(s)): |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | You must participate in a batterers intervention program: |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | You are granted temporary possession of the following personal property (describe): |

Part 2 - RELIEF - PLAINTIFF:

You are granted temporary possession of the following personal property (describe):

Comments:

NOTICE TO DEFENDANT: A violation of any of the provisions listed in this order may constitute either civil or criminal contempt pursuant to N.J.S.A. 2C:25-30 and may result in your arrest, prosecution, and possible incarceration, as well as an imposition of a fine or jail sentence. **Only a court can modify any of the terms or conditions of this court order.**

Docket Number FV-07-000224-21	Defendant's Name WESLEY K MULLINGS
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Addendum:

- TRO denied. Complaint dismissed by Family Part.
- TRO denied by Municipal Court.
- TRO denied by Superior Court Judge at De Novo Hearing.
- TRO granted by Superior Court Judge at De Novo Hearing. The Court has established jurisdiction over the subject matter and the parties pursuant to N.J.S.A. 2C:25-17 et seq., and has found good cause that a prima facie act of domestic violence has been established; that an immediate danger of domestic violence exists and that plaintiff's life, health and well being are endangered; that an emergency restraining Order is necessary pursuant to R. 5:7A(b) and N.J.S.A. 2C:25-28 to prevent the occurrence or recurrence of domestic violence and to search for and seize firearms and other weapons as indicated in this order.
- TRO granted. The Court has established jurisdiction over the subject matter and the parties pursuant to N.J.S.A. 2C:25-17 et seq., and has found good cause that a prima facie act of domestic violence has been established; that an immediate danger of domestic violence exists and that plaintiff's life, health and well being are endangered; that an emergency restraining Order is necessary pursuant to R. 5:7A(b) and N.J.S.A. 2C:25-28 to prevent the occurrence or recurrence of domestic violence and to search for and seize firearms and other weapons as indicated in this order.

Date/Time	<input type="checkbox"/> Via Telecommunications	s/	
07/14/2020 07:00 PM		Hearing Officer	NEWARK CITY
Date/Time	<input checked="" type="checkbox"/> Via Telecommunications	s/ ASHLIE GIBBONS	ESSEX
		Honorable Municipal Court Judge	Court / County
Date/Time	<input type="checkbox"/> Via Telecommunications	s/	
		Honorable Superior Court Judge	Court / County

All Law Enforcement Officers Will Serve and Fully Enforce This Order

This *ex parte* Domestic Violence Complaint and Temporary Restraining Order meets the criteria of the federal Violence Against Women Act for enforcement outside of the State of New Jersey upon verification of service of defendant. 18 U.S.C.A. 2265 & 2266

This Order Shall Remain in Effect Until Further Order of the Court and Service of Said Order on the Defendant.

Notice to Appear to Plaintiff and Defendant

- Both the plaintiff and defendant are ordered to appear for a final hearing on (date) 07/29/2020 at (time) 08:30 AM at the Superior Court, Chancery Division, Family Part, ESSEX County, located at (address) WILENTZ COURT COMPLEX, 212 WASHINGTON ST, 12TH FLOOR, NEWARK, NJ 07102, 973-693-6840
Note: You must bring financial information including pay stubs, insurance information, bills and mortgage receipts with you to Court.
 - The final hearing in this matter shall not be scheduled until: _____
 - Interpreter needed. Language: _____
Upon satisfaction of the above-noted conditions notify the Court immediately so that a final hearing date may be set.
- IMPORTANT: The parties cannot themselves change the terms of this Order on their own. This Order may only be changed or dismissed by the Superior Court. The named defendant cannot have any contact with the plaintiff without permission of the Court.**

Notice to Defendant

A violation of any of the provisions listed in this Order or a failure to comply with the directive to surrender all weapons, firearm permits, applications or identification cards may constitute criminal contempt pursuant to N.J.S.A. 2C:29-9(b), and may also constitute violations of other state and federal laws which may result in your arrest and/or criminal prosecution. This may result in a jail sentence.

You have the right to immediately file an appeal of this temporary Order before the Superior Court, Chancery Division, Family Part, as indicated above and a hearing may be scheduled.

Return of Service

Plaintiff was given a copy of the Complaint / TRO by:

<u>FOLCH JAVIER</u> Print Name	<u>07:00 PM 07/14/2020</u> Time and Date	<u>NEWARK CITY POLICE DEPT</u> Signature / Badge Number / Department
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I hereby certify that I served the within Complaint / TRO by delivering a copy to the Defendant personally:



<u>Cosme, Cynthia</u> Print Name	<u>1016 7/15/2020</u> Time and Date	<u>[Signature] Newark City PD</u> Signature / Badge Number / Department
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I hereby certify that I served the within Complaint / TRO by use of substituted service as follows:

_____ Print Name	_____ Time and Date	_____ Signature / Badge Number / Department
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Defendant could not be served (explain):

_____ Print Name	_____ Time and Date	_____ Signature / Badge Number / Department
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 **The Courthouse is accessible to those with disabilities. Please notify the Court if you require assistance.** 

Distribution: Family Part, Plaintiff, Defendant, Sheriff, Other _____