

IN THE CIRCUIT COURT OF Boone COUNTY, ARKANSAS
DOMESTIC RELATIONS DIVISION

DAVID D. STEBBINS
PETITIONER

Date of birth 10-20-65

Petitioners home address:

8527 HOPEWELL RD,
HARRISON AR 72601

vs.

NO. DR-2012 - 497-4

DAVID A. STEBBINS
RESPONDENT

Date of birth 12-29-88

Respondents home address:

CORNER OF RUSH
AND WILLOW

PETITION FOR ORDER OF PROTECTION

- ☒ I am the petitioner and at least 18 years of age
☐ under 18 but emancipated
☒ I am filing on behalf of myself
☐ I am filing on behalf of a family or household member who is:
☐ a minor (s): list _____
☐ an adjudicated incompetent person: list _____
☒ The respondent is at least 18 years of age
☐ under 18 but emancipated.
☐ I am an employee or volunteer of a domestic violence shelter or program, and I am filing on behalf of a minor.

BY md DC

JEANNIE STEEN, CLERK

2012 SEP 28 AM 8:49

FILED FOR RECORD

The respondent and petitioner (or victim if filing on behalf of a minor or incompetent person): (check all that apply)

- ☐ Are spouses
☒ Are parent and child
☐ Are former spouses
☐ Have or have had children in common

- ☒ Are related by blood
☐ Currently reside together or cohabit
☒ Formerly resided together or cohabited
☐ Are presently or in the past have been in a dating relationship

If an order of protection of children is requested:

Children

Date of Birth

Address

Relationship to parties

The respondent has committed domestic abuse to the petitioner or victim by the following acts:
(describe)

NOV
2011

ASSAULTED ME WITH A KITCHEN KNIFE,
ATTEMPTED TO KILL ME,

I am afraid of the respondent and: (describe)

I AM CONCERNED THAT HE MIGHT ATTACK
ME OR HIS MOTHER BECAUSE HE IS NOT CAPABLE
OF REALIZING THAT HE IS RESPONSIBLE
FOR HIS OWN ACTIONS AND BLAMES EVERYONE ELSE

- ☒ (1) There is an immediate and present danger of domestic abuse to me: or
☒ (2) The respondent is scheduled to be released from incarceration within thirty (30) days and upon
the respondent's release there will be an immediate and present danger of domestic abuse to me.

The reasons are as follows: (describe)

ONCE CONVICTED, WILL SEEK REVENGE FOR ALL
HIS PROBLEMS THAT HE SAYS IS THE ROOT
OF

☒ Petitioner requests that the court issue an ex-parte order of protection with the following provisions:
(check all that apply)

☐ Excluding the respondent from a shared residence or from the residence of the petitioner or victim.

Address of residence:

8527 HOPEWELL RD. HARRISON AR 72601

☒ Excluding the respondent from the place of business, employment, school, or other location of the

petitioner or victim.

Place of business: _____

Employment: CLARIDGE PRODUCTS & EQUIPMENT

School: WOODLAND HEIGHTS, GRANDSON

Other (identify): WILD BILL'S TRAVEL CENTER, MOTHERS EMPLOYMENT

Prohibiting the respondent, directly or through an agent, from contacting the petitioner or victim, except under the following conditions:

NEVER, NONE, DON'T CONTACT ME IN ANYWAY.

Awarding temporary custody of the minor child (ren) as follows:

Child's Name _____

Person to receive custody _____

___ Requiring the respondent to pay child support in the amount of \$ _____ per child, per month.

___ Requiring the respondent to pay spousal support in the amount of \$ _____ per month.

☒ Excluding the petitioners address from the notice to the respondent.

___ it is further requested that upon hearing, the court issue a full order of protection with the following provisions: (check all that apply):

☒ Excluding the respondent from the shared residence or from the residence of the petitioner or victim.

Address of residence: 8527 HOPEWELL RD. HARRISON AR 72601

___ Excluding the respondent from the place of business, employment, school, or other location of the petitioner or victim. Address of:

Place of business: _____

Employment: CLARIDGE PRODUCTS & EQUIPMENT

School: WOODLAND HEIGHTS / GRANDSON

Other (identify): WILD BILL'S TRAVEL CENTER, MOTHERS EMPLOYMENT

Awarding temporary custody of the minor children as follows:

Child's name _____

Person to receive custody _____

___ Requiring the respondent to pay child support in the amount of \$ _____ per child, per month.

___ Requiring the respondent to pay spousal support in the amount of \$ _____ per month.

☒ Requiring the respondent to pay filing fees, service fees, court costs and petitioners attorney fees.

☒ I am involved in pending litigation with the respondent in the case of:

Case number: _____

Circuit or District Judge: WEBB

County or City: HARRISON

___ I have previously filed a petition for an order of protection against the respondent in the following case or cases:

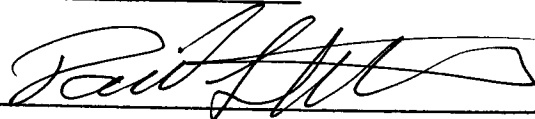
Case number: _____

Circuit Judge: _____

County: _____

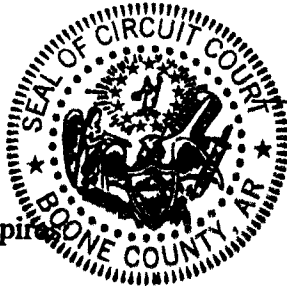
The Petitioner under oath states that the facts stated in the above petition are true according to the petitioner's best knowledge and belief.

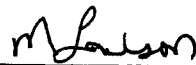
Date: 9-28-12

Petitioners signature: 

STATE OF ARKANSAS
COUNTY OF Boone

Subscribed and sworn before me this 28 day of Sept, 2012





Notary Public/Deputy Clerk

My Commission expires

JEANNIE STEEN
CLERK OF THE CIRCUIT COURTS-RECORDER
BOONE COUNTY

HARRISON, ARKANSAS

100 NORTH AMIN-SUITE 200

PHONE: 870-741-5560

DATE: 9-28-12

CASE: CV 2012-497-4

DEFENDANT'S NAME: David A. Stebbins

DEFENDANT'S ADDRESS: _____

DEFENDANT'S PLACE OF EMPLOYMENT: None

EMPLOYMENT ADDRESS: _____

DEFENDANT'S HOME PHONE NUMBER: _____

DEFENDANT'S WORK PHONE NUMBER: _____

DEFENDANT'S DESCRIPTION:

RACE: W SEX: M HEIGHT: 6'2" HAIR: Brn EYES: Brn WEIGHT: _____

AGE: 24 DOB: 12-29-88 LIST ANY SCARS BIRTHMARKS, OR TATTOO'S

THE DEFENDANT HAS _____

YEAR MAKE AND MODEL OF VEHICLE: _____

DOES THE DEFENDANT CARRY ANY WEAPONS? YES _____ NO X WHAT _____

IS THE DEFENDANT ON DRUGS? YES _____ NO X

DOES THE DEFENDANT HAVE MENTAL PROBLEMS? YES X NO _____

DOES THE DEFENDANT DRINK ALCOHOL? YES _____ NO X

ADDITIONAL
INFORMATION _____

LIST ANY CONTACT NAMES AND NUMBERS WHERE THE DEFENDANT MAY BE
LOCATED _____

Print Form

**Ex Parte Order
of Protection**☐ Amended Order

Case No. DR-2012-497-4

Court: CIRCUIT

Div. ☐

County: BOONE

, Arkansas

12C03591

FILED FOR RECORD

09/28/2012 9:43AM

JEANNIE STEEN Clerk

By me D.C.**Petitioner/Plaintiff**

DAVID D. STEBBINS

First Middle Last

10/20/1985

W

M

Petitioner's Date of Birth (mm/dd/yyyy)

Race

Sex

Minor Children Protected under this Order:

d.o.b.

d.o.b.

d.o.b.

d.o.b.

Versus**Respondent/Defendant**

DAVID A. STEBBINS

First Middle Last

Address: CORNER OF RUSH & WILLOW

HARRISON, AR

CAUTION: ☐ Respondent possesses a firearm
☐ Respondent has history of extreme violence

Relationship Identifiers: ☐ Current or former spouses ☐ Parents of child(ren) in common
☒ Lived together ☐ Current or past dating relationship ☒ Other Relative (Explain) Parent and Child

This Order is Effective Until:

OCTOBER 15, 2012 @ 1:00 PM

*Pursuant to Federal law, this
Order shall be enforced by law
enforcement officers in all
states, territories, districts and
tribal lands regardless of
whether this Order of
Protection is registered locally.*

Respondent Identifiers

Sex	Race	DOB mm/dd/yyyy	Ht	Wt
M	W	12/29/1988	6'2"	

Eyes	Hair	SS#
BRO	BRO	unknown
Phone #		DL # or other ID#
unknown		unknown

THE COURT HEREBY FINDS AND ORDERS:

That there is jurisdiction over the parties and subject matter, and the Petitioner has presented sufficient evidence to show: 1.) that the victim(s) is (are) in immediate and present danger of domestic abuse or 2.) that the Respondent is scheduled to be released from incarceration within thirty(30) days, and upon the Respondent's release there will be an immediate and present danger of domestic abuse. The Ex Parte Temporary Order of Protection is hereby granted pursuant to the terms herein.

The Respondent is ordered to appear before the Court on the 15 day of October, 2012 at 1:00 a.m./p.m. in the Courthouse located at 201 N Main, Old Fed. Building 2nd Floor, Harrison, AR.

If you fail to appear, the Court will likely make this Order permanent without further notice to you.

The Respondent is hereby restrained from committing any criminal act against the victim(s) including, but not limited to: acts of violence or Domestic Abuse, A.C.A. §9-15-103 (3); Harassment A.C.A. §5-71-208; Harassing Communications A.C.A. §5-71-209; Stalking A.C.A. §5-71-229; or Terroristic Threatening A.C.A. §5-13-301.

☒ The Respondent is prohibited from initiating any contact with the victim(s) including but not limited to physical presence, telephonic, electronic, oral, written, visual, or video. Respondent also shall not use a third party to contact the victim(s) except by legal counsel or as authorized by law or court order.

☒ The Respondent is excluded from the Petitioner's residence and the immediate vicinity thereof.

Petitioner's Address: 8527 Hopewell Rd, Harrison, AR 72601

☐ The Petitioner's address is excluded from notice to the Respondent. (or)

☒ The Respondent is prohibited from the following places:

Petitioner's Workplace: Claridge Products, Harrison, AR

School:

Other (Identify): Wild Bill's Travel Center, Hollister, MO (Mothers workplace)

☐ _____ is awarded temporary custody of the minor child(ren):

(Names) _____

☐ Any law enforcement officer with jurisdiction is ordered to assist the Petitioner in gaining possession of the dwelling, and/or to otherwise assist in execution or service of the Order of Protection.

☐ Other Orders: _____

If the parties (or other persons named herein) are subject to the jurisdiction of another court (i.e. through a divorce or paternity action), upon proper notice and the opportunity to be heard, said court may amend the terms of this Order as appropriate.

On this 28 day of September, 2012, IT IS SO ORDERED.


CIRCUIT JUDGE
Patrick

Office of the Circuit Clerk, Boone County, Harrison, AR 72601
 Phone: 870-741-5560

WARNINGS TO RESPONDENT

--Pursuant to A.C.A. §9-15-207, a violation of an Order of Protection is a Class A misdemeanor carrying a maximum penalty of one year imprisonment in the county jail or a fine of up to \$2,500, or both. A violation of an Order of Protection under this section within five (5) years of a previous conviction for violation of an Order of Protection is a Class D felony punishable by up to six years in prison or up to a \$10,000 fine or both.

--It is a federal offense for an individual who is subject to a Final Order of Protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. §922(g)(8) and (9).

--Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment pursuant to 18 U.S.C. §2262.

NOTICE TO LAW ENFORCEMENT

--This Order of Protection is enforceable in every county of this state by any court or law enforcement officer. See A.C.A. §9-15-207(g).

PROOF OF SERVICE

Case # _____ Court Date: _____

SERVED: Date _____ Time: _____ Place _____

Attempts Made: List only date and time

1) _____ 2) _____ 3) _____

Served On (Print Name) _____ Manner of Service _____

Served By (Print Name) _____ Title _____ Badge # _____

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas that the foregoing information contained in the proof of service is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server _____

Office of the Circuit Clerk, Boone County, Harrison, AR
 Phone: 870-741-5560

WARNINGS TO RESPONDENT

-Pursuant to A.C.A. §9-15-207, a violation of an Order of Protection is a Class A misdemeanor carrying a maximum penalty of one year imprisonment in the county jail or a fine of up to \$2,500, or both. A violation of an Order of Protection under this section within five (5) years of a previous conviction for violation of an Order of Protection is a Class D felony punishable by up to six years in prison or up to a \$10,000 fine or both.

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PROOF OF SERVICE

Case # DR 2012-497-4

Court Date: 10-15-12

SERVED: Date 10-3-12

Time: 6:50

Place 123 W. Ridge

Attempts Made: List only date and time

1) _____ 2) _____ 3) _____

David A. Stebbins
 Served On (Print Name)

Personal, Provided Copy
 Manner of Service

Nathan Jenkins
 Served By (Print Name)

Corporal
 Title

9
 Badge #

2012 OCT -4 AM 8:45
 JENNIE STEEN
 CLERK

FILED FOR RECORD

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas that the foregoing information contained in the proof of service is true and correct.

Executed on 10-3-12
 Date

CPL. Nathan Jenkins
 Signature of Server

5800 Hwy Dr Harrison AR
 Address of Server

RECEIVED
RETURNED

COPY

1540003713 001/003

Print Form

**Ex Parte Order
of Protection**☐ Amended Order

Case No. DR-2012-497-4

Court: CIRCUIT

Div. ☐

County: BOONE

, Arkansas

12C03591

FILED FOR RECORD

09/28/2012 9:43AM
JEANNIE STEEN ClerkBy ML D.C.**Petitioner/Plaintiff**

DAVID D. STEBBINS

First

Middle

Last

10/20/1965

Petitioner's Date of Birth (mm/dd/yyyy)

W

Race

M

Sex

Minor Children Protected under this Order:

d.o.b.

d.o.b.

d.o.b.

d.o.b.

Versus**Respondent/Defendant**

DAVID A. STEBBINS

First

Middle

Last

Address: CORNER OF RUSH & WILLOW

HARRISON, AR

CAUTION:☐

Respondent possesses a firearm

☐

Respondent has history of extreme violence

Relationship Identifiers:☐ Current or former spouses☐ Parents of child(ren) in common☒ Lived together☐ Current or past dating relationship☒ Other Relative (Explain) Parent and Child**This Order is Effective Until:**

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Pursuant to Federal law, this Order shall be enforced by law enforcement officers in all states, territories, districts and tribal lands regardless of whether this Order of Protection is registered locally.

Respondent Identifiers

Sex	Race	DOB mm/dd/yyyy	Ht	Wt
M	W	12/29/1988	6'2"	

Eyes	Hair	SS#
BRO	BRO	unknown
Phone #	DL # or other ID#	
unknown	unknown	

THE COURT HEREBY FINDS AND ORDERS:

That there is jurisdiction over the parties and subject matter, and the Petitioner has presented sufficient evidence to show: 1.) that the victim(s) is (are) in immediate and present danger of domestic abuse or 2.) that the Respondent is scheduled to be released from incarceration within thirty(30) days, and upon the Respondent's release there will be an immediate and present danger of domestic abuse. The Ex Parte Temporary Order of Protection is hereby granted pursuant to the terms herein.

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WARNINGS TO RESPONDENT

--Pursuant to A.C.A. § 9-15-207, a violation of an Order of Protection is a Class A misdemeanor carrying a maximum penalty of one year imprisonment in the county jail or a fine of up to \$2,500, or both. A violation of an order of protection under this section within five (5) years of a previous conviction for violation of an order of protection is a Class D felony punishable by up to six years in prison or up to a \$10,000 fine or both.

--It is a federal offense for an individual who is subject to an Order of Protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. § 922(g)(8) and (9).

--Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment pursuant to 18 U.S.C. §2262.

NOTICE TO LAW ENFORCEMENT

--In the event that any Law enforcement officer has probable cause to believe that the Respondent named in the above Order has violated this Order and has verification of this Order the officer, may, without a warrant, arrest the violator whether the violation was in or outside the officer's presence. See A.C.A. §9-15-207(f).

--A law enforcement officer **SHALL NOT** arrest a Petitioner for the violation of an Order of Protection issued against a Respondent. See A.C.A. §9-15-207(e).

--This Order of Protection is enforceable in every county of this state by any court or law enforcement officer. See A.C.A. §9-15-207(g).

--This Order is entitled to full faith and credit in any jurisdiction of the United States. See 18 U.S.C. §2265.

IN THE CIRCUIT COURT OF BOONE COUNTY, AR
DOMESTIC RELATIONS DIVISION

DAVID D. STEBBINS

VS.

CASE NO. DR-2012-497-4

DAVID A. STEBBINS

PETITIONER

RESPONDENT

FILED FOR RECORD
2012 OCT 16 AM 9:49
JEANNIE STEEN, CLERK
BY [Signature] -DCJ

MOTION FOR RULE 52(b) AMENDMENT OR IN THE
ALTERNATIVE FOR NEW TRIAL

Comes now, *pro se* Respondent David A. Stebbins, who hereby submits the following motion for a Rule 52(b) Amendment of Findings and Amendment of Judgment.

Before I begin the motion itself, I ask that the Court read it in an unusual way. Due to the possibility of the Court being offended by this motion, I ask that it read the paragraphs numbered 7 through 10 first, and *then* begin reading the paragraphs numbered one through twenty. This indeed means that paragraphs #7 through #10 will be read twice, but I think this double reading is necessary to avoid the Court simply going berserk without necessity.

1. This motion's eponymous Rule of Civil Procedure allows the Court, on motion of a dissatisfied party, to amend the findings it attaches to its judgment.
2. This Court failed to even so much as *comment* (Despite Ark. R. Civ. P. 52(a) requiring it to do so) on three arguments that were very very crucial to my defense: Self-defense, a desire to harass, and the fact that I am being persecuted for my lawsuit practices.
3. The third one is the biggest. I always wondered why it was specifically Judge Kirkpatrick presiding over this case, instead of Gordon Webb. After all, Judge Webb is A) actually a *Circuit* Court judge (more on that in a minute), B) the leader of the Domestic Relations division of the Circuit Court, and C) the one presiding over the related felony action. Surely he would be more qualified to preside over this case, due to his connection with the situation, than

Kirkpatrick.

4. What I am saying is this: I suspect that the Petitioner is in cahoots with the Court, and although Kirkpatrick himself may have judicial immunity (emphasis on the word "may." Again, more on that in a minute), the Petitioner certainly does not. In other words, I should not *have* to "appeal" anything (especially when the very crux of this motion is the lack of anything to actually appeal from). If I were to file suit in federal court against Petitioner for conspiring to violate my civil rights, judicial immunity would not bar Kirkpatrick from being called as a witness, and it will be up to a *jury* to decide whether or not the government is in fact just as corrupt as it often stereotyped as being.

5. Notice the last bit of that sentence. The Petitioner seems to suggest that my simple *assertion* of a conspiracy against me is completely absurd and provides proof of my own insanity. However, the stereotype that the government is corrupt is a mainstream stereotype, one that government officials must live with every day. The jury will have no knowledge of this case, but will be very familiar with the stereotype that the government, generally, is corrupt. I think it will be very reasonable to them to accept the possibility that this is such an instance, softening my burden of proof accordingly.

6. Further evidence of corruption would be added if, neither in this case nor that one, no actual explanation can be offered for why these three arguments were completely ignored by the Court.

7. I do not intend to "threaten" the Court. However, it appears at this point that I have no other choice but to take the bull by the horns. The Court has forgiven my abrasiveness in the past due to my Asperger Syndrome, but I honestly see no "polite" way of asserting this argument while still getting my point across. As I mentioned off the record, a simple suggestion of how I

can say it more tactfully would probably be sufficient to correct my conduct. However, at this time, I know of no other way to give sufficient warning about the consequences of these actions (or rather, inactions) without warning the Court of the potential jeopardy to its career if I can convince a group of twelve Joe Sixpacks that this is a specific example of a general rule that they all believe.

8. I wish to emphasize that, like the Court's admonishments to me during the trial, this is not personal. One can hardly blame me for being defensive of such a seemingly insensible judgment. After all, juridicial immunity is often justified, despite the Federal Supreme Court's admission as to its oppressive nature, because a *homo sapien* naturally feels ripped off whenever he loses a case, and that allowing even corrupt actions to be subject to suit would mean that even legitimate ones would still have to be subject to suit, since a *homo sapien*¹ would more than likely accuse *any* adverse decision, no matter how legit, of being corrupt, just as a scapegoat. Judges would never get a break.

9. I am here today to point out to you that I am *not like that at all*. I am different from most people. I am willing to accept defeat, so long as the defeat makes sense. *Kelo v. City of New London*, 545 U.S. 469 (2005) and *Snyder v. Phelps*, 131 S. Ct. 1207 (2011) are two high-profile cases that come immediately to mind. I personally and politically disagree with these cases, but at least their decisions *make sense*. Tax dollars = public use. Emotional pain inflicted =/= not protected by the first amendment². I wish they ruled oppositely in both cases, but their decisions are a far cry of suggesting that they had their minds made up about the case beforehand due to corruption.

1 By the way, by calling humans by their scientific name, I am attempting to imply an atmosphere of "animal instinct."

2 by the way, I am using Internet slang for the purposes of being succinct. The slash with two equal signs beside it means "not equal to." In other words, the Snyder family's emotional pain is inferior to Westboro's right to protest

person and personal do not like me, or B) base their beliefs clearly inadmissible evidence, and those who look at the evidence and think that the Petitioner is full of crap. In other words, any person qualified to serve on a jury would find in my favor, based on this data collection. If Kirkpatrick indeed has no pre-existing knowledge or personal bias against me (provable by the explanations requested in this motion), my theory of partisan verdict goes straight down the toilet. As Stephen Hawking once said in his book A Brief History of Time, if we come across just one instance that is inconsistent with a theory, we have to abandon or modify the theory.

14. It is upon this ground that I base my “alternative motion for new trial.” I have evidence that the Petitioner is changing his story so that he appears as un-perjurious. If the reason the Court found my “history of untruthfulness” argument to be unpersuasive is because he could have simply forgotten it, I have evidence directly to the contrary, that he did indeed remember it perfectly, and lied about it anyway. He is covering his perjury with more perjury, and if the Court gives me the opportunity, I can fully prove this. Therefore, if the Court found against me for that reason, I request a second chance.

15. This is a valid grounds for setting aside a judgment, because it is a reasonable mistake, caused by reasonable surprise. I expected the Petitioner himself to try to doctor up his testimony, but I was genuinely shocked when my *mother* decided to cover for him. Assuming these facts to be true and in a light most favorable to the movant (which is me), these are indeed sufficient grounds for relief from the judgment. Therefore, it constitutes genuine surprise, and also fraud and/or misrepresentation by the adverse party (my my counting as part of the adverse party, since she was a hostile witness). I understandably did not come fully prepared, as I fully trusted my mother to tell the truth.

16. Going back to the Rule 52(b)(2) request for explanation of sufficiency, I request that the

statute exists to bestow jurisdiction.

21. In preparation for this case, I have searched far and wide for such a legal authority. None were found. Therefore, I have to conclude that Fred Kirkpatrick usurped the Circuit Court (perhaps with the consent of the Circuit Court judges, but a usurpation nonetheless).

Wherefore, premises considered, I respectfully request that the Court either reverse its decision, or explain why the decision stands notwithstanding the three arguments that the Court never addressed, and to cite which legal authority provides Fred Kirkpatrick with jurisdiction over Protective Order cases.

David S. Stebbins

David Stebbins
123 W. Ridge St.
APT D
Harrison, AR 72601
870-204-6516
stebbinsd@yahoo.com

IN THE CIRCUIT COURT OF BOONE COUNTY, AR
DOMESTIC RELATIONS DIVISION

DAVID D. STEBBINS

VS.

CASE NO. DR-2012-497-4

DAVID A. STEBBINS

B.N.
JEANNE STEEN
2012 OCT 16 AM 9:19
FILED FOR RECORD
CLERK
PETITIONER

RESPONDENT

MOTION FOR FREE TRANSCRIPT

Comes now, *pro se* Respondent David A. Stebbins, who hereby submits the following motion for a free transcript of trial proceedings.

This Court has recently granted an application of mine for leave to proceed *in forma pauperis* in the Boone County Small Claims Court (which, in case anyone is wondering, I do not, by any stretch of the imagination, deny Kirkpatrick's jurisdiction of *that* Court), so Hon. Kirkpatrick has personal knowledge of my indigence.

Under pain of sanctions pursuant of sanctions under Ark. R. Civ. P. 11 for filing motions not well-grounded in fact, I assure this Court that my financial situation has undergone no significant changes since that application was filed.

Considering my obvious indigence, a free copy of the trial transcript – which will easily be the most expensive part of the Circuit Court docket – would be necessary in order for me to have meaningful access to the Appellate Court. I ask that this transcript be provided at taxpayer expense, the same as if I were proceeding *in forma pauperis* (notice that Paragraph #4 of the Order that Hon. Kirkpatrick granted, as mentioned above, forbids *any* government official from charging an indigent litigation for *anything*. As a result, a pauper is entitled to free transcripts).

The other expenses of appeal – such as certified copies of the docket and producing *fourteen* copies of my appellate brief so every justice of the Court of Appeals can have one – are small enough that I think I can foot that bill over time.

Please grant this motion.

David S. Stebbins

David Stebbins

123 W. Ridge St.

APT D

Harrison, AR 72601

870-204-6516

stebbinsd@yahoo.com

12C03790

FILED FOR RECORD
 10/16/2012 2:27PM
 JEANNIE STEEN Clerk
 By D.C.

Final Order of Protection

☐ Amended Order

Case No.

DR-2012-497-4

Circuit Court, Div.

County: BOONE

, Arkansas

Petitioner/Plaintiff

DAVID D. STEBBINS

First

Middle

Last

10-20-1965

Petitioner's Date of Birth (mm/dd/yyyy)

W

Race

M

Sex

Minor Children Protected under this Order

d.o.b.

d.o.b.

d.o.b.

d.o.b.

Versus

Respondent/Defendant

DAVID A. STEBBINS

First

Middle

Last

Address: CORNER OF RUSH AND WILLOW

HARRISON, AR

Employer: NONE

CAUTION: ☐ Respondent possesses a firearm
☐ Respondent has history of extreme violence

Relationship Identifiers: ☐ Current or former spouses ☐ Parents of child(ren) in common
☒ Lived together ☐ Current or past dating relationship ☒ Other Relative (Explain) PARENT & CHILD

This Order is Effective Until:

OCTOBER 15, 2015

*Pursuant to Federal law, this
 Order shall be enforced by law
 enforcement officers in all
 states, territories, districts and
 tribal lands regardless of
 whether this Order of
 Protection is registered locally.*

Respondent Identifiers

Sex	Race	DOB mm/dd/yyyy	Ht	Wt
M	W	12-29-1988	6'2"	

Eyes	Hair	SS#
BRO	BRO	UNKNOWN
Phone #		DL # or other ID#
UNKNOWN		UNKNOWN

Distinguishing Characteristics:

THE COURT HEREBY FINDS AND ORDERS:

That there is jurisdiction over the parties and subject matter, and the Respondent has been provided with proper notice and the opportunity to be heard. That the victim(s) is (are) in immediate and present danger of domestic abuse and therefore an Order of Protection is hereby granted pursuant to the terms herein.

A hearing on this matter was held on the 15 day of OCTOBER, 2012.

☒ The Petitioner appeared pro se.

☐ The Petitioner was represented by counsel _____.

☒ The Respondent appeared pro se.

☐ The Respondent was represented by counsel _____.

☐ The Respondent failed to appear despite proper notice.

X The Respondent is restrained from committing any criminal act against the victim(s) including, but not limited to: acts of violence or Domestic Abuse, A.C.A. §9-15-103 (3); Harassment A.C.A. §5-71-208; Harassing Communications A.C.A. §5-71-209; Stalking A.C.A. §5-71-229; or Terroristic Threatening A.C.A. §5-13-301.

☒ The Respondent is prohibited from initiating any contact with the victim(s) including but not limited to physical presence, telephonic, electronic, oral, written, visual, or video. Respondent also shall not use a third party to contact the victim(s) except by legal counsel or as authorized by law or court order.

☒ The Respondent is excluded from the Petitioner's residence and the immediate vicinity thereof.

Petitioner's Address: 8527 HOPEWELL RD, HARRISON, AR 72601

(or) ☐ The Petitioner's address is excluded from notice to the Respondent.

☒ The Respondent is prohibited from the following places:

Petitioner's Workplace: CLARIDGE PRODUCTS, HARRISON, AR

School: _____

Other (Identify): _____

☐ _____ is awarded temporary custody of the minor child(ren) for the duration of this order or until future orders shall be issued from a Court with jurisdiction over the parties:

(Children's Names) _____

☐ Visitation with regard to the minor child(ren) is established as follows: _____

☐ _____ is ordered to pay child support to _____ through the Circuit Clerk's Office in the amount of \$ _____ per _____, plus any Clerk fees as they come due with said payments to begin on _____. This amount is according to the Child Support Chart based upon the payor's income of _____ per _____.

This amount does/does not (circle one) deviate from the Child Support Chart.

(If the amount deviates from the Chart, the justification is included below in the "Other Order's section")

☐ _____ is ordered to pay spousal support in the amount of \$ _____ per _____, beginning on _____. The spousal support shall be paid until _____. Method of payment shall be: _____

Note: As there is an expiration date on all Orders of Protection, future matters regarding Child Support, Alimony and Visitation should be handled through another Domestic Relations case (i.e. divorce, paternity, or through the Office of Child Support Enforcement).

☒ A law enforcement officer with jurisdiction is ordered to assist the Petitioner in gaining possession of the dwelling, and/or to otherwise assist in execution or service of the Order of Protection.

☒ A law enforcement officer with jurisdiction is ordered to assist the Respondent in obtaining their personal effects from the dwelling upon proper and timely request of the Respondent.

☐

Other Orders: _____

If the parties (or other persons named herein) are subject to the jurisdiction of another court (i.e. through a divorce or paternity action), upon proper notice and the opportunity to be heard, said court may amend the terms of this Order as appropriate.

On this 15 day of OCTOBER, 2012, IT IS SO ORDERED.

FILE MARK DATE	_____
DATE DELIVERED OR MAILED	_____
PLAINTIFF	☒
DEFENDANT	☒
SHERIFF	☒

FILE MARK DATE 10-16-12
DATE DELIVERED OR MAILED 10-16-12


CIRCUIT JUDGE
D. W. RICE

Ex Parte Order of Protection

☐ Amended Order

Case No. DR-2012-497-4

Court: CIRCUIT

Div. ☐

County: BOONE

, Arkansas

BY _____ DC

JEANIE STEEN, CLERK

2012 OCT -1 AM 9:30

FILED FOR RECORD

Petitioner/Plaintiff

DAVID D. STEBBINS

First

Middle

Last

10/20/1965

Petitioner's Date of Birth (mm/dd/yyyy)

W

Race

M

Sex

Minor Children Protected under this Order:

d.o.b.

d.o.b.

d.o.b.

d.o.b.

Versus

Respondent/Defendant

DAVID A. STEBBINS

First

Middle

Last

Address: CORNER OF RUSH & WILLOW

HARRISON, AR

This Order is Effective Until:

OCTOBER 15, 2012 @ 1:00 PM

Pursuant to Federal law, this Order shall be enforced by law enforcement officers in all states, territories, districts and tribal lands regardless of whether this Order of Protection is registered locally.

Respondent Identifiers

Sex	Race	DOB mm/dd/yyyy	Ht	Wt
M	W	12/29/1988	6'2"	

Eyes	Hair	SS#
BRO	BRO	unknown
Phone #		DL # or other ID#
unknown		unknown

CAUTION: ☐ Respondent possesses a firearm
☐ Respondent has history of extreme violence

Relationship Identifiers: ☐ Current or former spouses ☐ Parents of child(ren) in common
☒ Lived together ☐ Current or past dating relationship ☒ Other Relative (Explain) Parent and Child

THE COURT HEREBY FINDS AND ORDERS:

That there is jurisdiction over the parties and subject matter, and the Petitioner has presented sufficient evidence to show: 1.) that the victim(s) is (are) in immediate and present danger of domestic abuse or 2.) that the Respondent is scheduled to be released from incarceration within thirty(30) days, and upon the Respondent's release there will be an immediate and present danger of domestic abuse. The Ex Parte Temporary Order of Protection is hereby granted pursuant to the terms herein.

The Respondent is ordered to appear before the Court on the 15 day of October, 2012 at 1:00 a.m./p.m. in the Courthouse located at 201 N Main, Old Fed. Building 2nd Floor, Harrison, AR.

If you fail to appear, the Court will likely make this Order permanent without further notice to you.

The Respondent is hereby restrained from committing any criminal act against the victim(s) including, but not limited to: acts of violence or Domestic Abuse, A.C.A. §9-15-103 (3); Harassment A.C.A. §5-71-208; Harassing Communications A.C.A. §5-71-209; Stalking A.C.A. §5-71-229; or Terroristic Threatening A.C.A. §5-13-301.

☒ The Respondent is prohibited from initiating any contact with the victim(s) including but not limited to physical presence, telephonic, electronic, oral, written, visual, or video. Respondent also shall not use a third party to contact the victim(s) except by legal counsel or as authorized by law or court order.

☒ The Respondent is excluded from the Petitioner's residence and the immediate vicinity thereof.

Petitioner's Address: 8527 Hopewell Rd, Harrison, AR 72601 (or)

☐ The Petitioner's address is excluded from notice to the Respondent.

☒ The Respondent is prohibited from the following places:

Petitioner's Workplace: Claridge Products, Harrison, AR

School:

Other (Identify): Wild Bill's Travel Center, Hollister, MO (Mothers workplace)

☐ _____ is awarded temporary custody of the minor child(ren):

(Names) _____

☐ Any law enforcement officer with jurisdiction is ordered to assist the Petitioner in gaining possession of the dwelling, and/or to otherwise assist in execution or service of the Order of Protection.

☐ **Other Orders:** _____

If the parties (or other persons named herein) are subject to the jurisdiction of another court (i.e. through a divorce or paternity action), upon proper notice and the opportunity to be heard, said court may amend the terms of this Order as appropriate.

On this 28 day of September, 2012, IT IS SO ORDERED.


CIRCUIT JUDGE
Duffie

Office of the Circuit Clerk, Boone County, Harrison, AR 72601
Phone: 870-741-5560

WARNINGS TO RESPONDENT

--Pursuant to A.C.A. §9-15-207, a violation of an Order of Protection is a Class A misdemeanor carrying a maximum penalty of one year imprisonment in the county jail or a fine of up to \$2,500, or both. A violation of an Order of Protection under this section within five (5) years of a previous conviction for violation of an Order of Protection is a Class D felony punishable by up to six years in prison or up to a \$10,000 fine or both.

--It is a federal offense for an individual who is subject to a Final Order of Protection or convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition pursuant to 18 U.S.C. §922(g)(8) and (9).

--Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment pursuant to 18 U.S.C. §2262.

NOTICE TO LAW ENFORCEMENT

--This Order of Protection is enforceable in every county of this state by any court or law enforcement officer. See A.C.A. §9-15-207(g).

PROOF OF SERVICE

Case # _____ Court Date: _____

SERVED: Date _____ Time: _____ Place _____

Attempts Made: List only date and time

1) _____ 2) _____ 3) _____

Served On (Print Name) _____ Manner of Service _____

Served By (Print Name) _____ Title _____ Badge # _____

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas that the foregoing information contained in the proof of service is true and correct.

Executed on _____
Date _____ Signature of Server _____

Address of Server _____

IN THE CIRCUIT COURT OF BOONE COUNTY, AR
DOMESTIC RELATIONS DIVISION

DAVID D. STEBBINS

VS.

CASE NO. DR-2012-497-4

DAVID A. STEBBINS

PETITIONER

RESPONDENT

FILED FOR RECORD
2012 OCT 19 PM 12:51
JEANNIE STEEN, CLERK

MOTION TO VACATE JUDGEMENT

Comes now, *pro se* Respondent David A. Stebbins, who hereby submits the following motion to vacate the judgment in the above action.

The judgment should be vacated because the judgment is void. Jurisdictional disputes notwithstanding, it is still void. Why? Because it is piecemeal litigation.

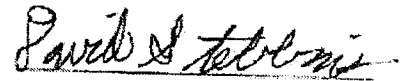
Piecemeal Litigation refers to a circumstance in which more than one court is seized of the adjudication of the same issue. See <http://definitions.uslegal.com/p/piecemeal-litigation/> accessed on October 19, 2012.

As a matter of public policy, piecemeal litigation should be avoided. This public policy. See *RMP Rentals v. Metroplex, Inc.*, 146 SW 3d 861, 865-866 (2004) (“RMP’s argument disregards our **well-established policy that piecemeal litigation is to be avoided.**” areas of interest bolded for emphasis.) Furthermore, piecemeal litigation is a bar to the court’s jurisdiction. See *Fisher v. Chavers*, 92 SW 3d 30, 31 (2002) (holding that “[t]he purpose of the finality requirement is to avoid piecemeal litigation” and that said requirement is “a jurisdictional requirement.” Because it directly relates to this court’s subject-matter jurisdiction, it can be raised at any time, even after judgment has been entered. See Ark. R. Civ. P. 12(h)(3) (a court must dismiss an action “whenever” it realizes it lacks jurisdiction).

In the instant case, the Defendant made numerous references to the fact that I had filed suit against him for defamation in response to his accusations of my criminal activity, meaning

that the Court of Gordon Webb was already adjudicating these issues. The Defendant admitted to these things, and thus, I do not require exhibits to prove them. Therefore, because Gordon Webb was adjudicating these issues himself before Fred Kirkpatrick was, Kirkpatrick should vacate the judgment for lack of subject-matter jurisdiction.

Wherefore, premises considered, I respectfully request that the judgment be vacated.



David Stebbins
123 W. Ridge St.
APT D
Harrison, AR 72601
870-204-6516
stebbinsd@yahoo.com

IN THE CIRCUIT COURT OF BOONE COUNTY, ARKANSAS

DAVID D. STEBBINS

PETITIONER

VS.

NO. DR-2012-497-4

DAVID A. STEBBINS

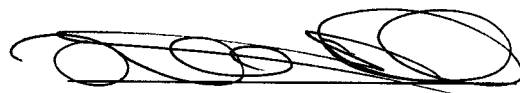
RESPONDENT

ORDER

On this 24th day of October, 2012, comes on the Respondent's Motion for Rule 52(b) Amendment or In the Alternative for a New Trial, and from the pleadings, arguments presented in the Motion, and all other matters before the Court, the Court finds:

1. That this Court, pursuant to the Supreme Court of Arkansas Administrative Orders No. 18 and No. 4, the Amendments to those Orders as set out in the Court's Per Curiam Opinion delivered February 9, 2011, effective July 1, 2011, and the Amendment to Administrative Plan of the 14th Judicial Circuit filed for record April 6, 2012, has jurisdiction over the parties and subject matter herein, that is, Orders of Protection.
2. That the Court, having previously found the Petitioner established by a preponderance of the evidence that the Respondent committed domestic abuse against the Petitioner by assaulting him with a knife, and that the victim is in immediate and present danger of continued domestic abuse, specifically finds the Respondent's arguments of self defense, a desire to harass and his being persecuted for his lawsuit practices, are not supported by the evidence and are without merit.
3. The Motion of the Defendant for a new trial is denied.

IT IS SO ORDERED.


JUDGE

FILED FOR RECORD

2012 OCT 24 PM 2:47

JEANNIE STEEN, CLERK

BY  DC

IN THE CIRCUIT COURT OF BOONE COUNTY, ARKANSAS

DAVID D. STEBBINS

PETITIONER

VS.

NO. DR-2012-497-4

DAVID A. STEBBINS

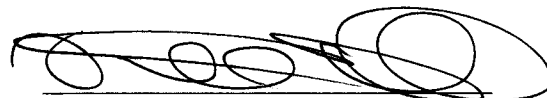
RESPONDENT

ORDER DENYING MOTION FOR FREE TRANSCRIPT

On this 24th day of October, 2012, comes on the Respondent's Motion For Free Transcript, and from the pleadings, applicable case law, and all other matters before the Court, the Court finds:

1. That Arkansas Rule of Civil Procedure 72 provides in section (a) "Every indigent person who shall have a cause of action against another may petition the Court in which such action is pending, or in which it is intended to be brought, for leave to prosecute the suit in forma pauperis."
2. That the Motion For Free Transcript should be denied inasmuch as there is no provision in the prevailing rules of procedure to permit a defendant in a civil action to proceed at public expense. Rule 72 of the Arkansas Rules of Civil Procedure provides that an indigent person may prosecute his or her cause of action in forma pauperis under certain circumstances. In the case of Bullock v Pace, 94 S.W. 3rd 925, 351 Ark. 442 (Ark 2003), the Arkansas Supreme Court, in a Per Curiam opinion stated "Petitioner Bullock was the defendant in the cause filed by Ms. Pace. As such, he is not entitled to proceed as an indigent from the adverse judgment. If Petitioner desires to lodge the appeal, he is responsible therefore for tendering both the record on appeal and the required filing fee at his expense."
3. In the present case, Mr. David A. Stebbins was the Respondent (Defendant). Under Bullock cited above, he is not entitled to proceed as an indigent from the adverse judgment in this civil case.
4. The Motion For Free Transcript is denied.

IT IS SO ORDERED.



JUDGE

FILED FOR RECORD

2012 OCT 24 PM 2:47

JEANNIE STEEN, CLERK

BY  DC

IN THE CIRCUIT COURT OF BOONE COUNTY, ARKANSAS

DAVID D. STEBBINS

PETITIONER

VS.

NO. DR-2012-497-4

DAVID A. STEBBINS

RESPONDENT

ORDER

On this 24th day of October, 2012, comes on the Respondent's Motion To Vacate Judgment, and from the pleadings, applicable case law, and all other matters before the Court, the Court finds:

That the Motion of the Respondent to Vacate Judgment should be, and hereby is, denied.

IT IS SO ORDERED.



JUDGE

FILED FOR RECORD

2012 OCT 24 PM 2:47

JEANNIE STEEN, CLERK

BY  DC