IN THE COURT OF COMMON PLEAS OF THE

: 39TH JUDICIAL DISTRICT, PA FRANKLIN COUNTY BRANCH

Plaintiff

: CIVIL ACTION - LAW

vs.

: NO.

Defendant : PROTECTION FROM ABUSE

#### **NOTICE OF HEARING AND ORDER**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following papers, you must appear at the hearing scheduled herein. If you fail to do so, the case may proceed against you and a FINAL order may be entered against you granting the relief requested in the petition. In particular, you may be evicted from your residence, prohibited from possessing any firearms, other weapon, ammunition, or any firearm license, and lose other important rights, including custody of your children. A protection order granted by a court may be considered in subsequent proceedings under Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statues, including child custody proceedings under Chapter 53 (relating to custody) and Child Protective Services Law proceedings under Chapter 63 (related to juvenile matters).

A hearing on the matter is scheduled for the	day of , ,	, at	in Courtroom
before the Honorable Judge	_at Franklin County Courthouse,	14 N. Main St.	,
Chambersburg, PA 17201.	•		

If an order of protection has been entered, you MUST obey the order until it is modified or terminated by the court after notice and hearing. If you disobey this order, the police or sheriff may arrest you. Violation of this order may subject you to a charge of indirect criminal contempt under 23 Pa C.S. § 6114. Violation may also subject you to prosecution and criminal penalties under Pennsylvania Crimes Code. Under federal law, 18. U.S.C § 2265, this order is enforceable anywhere in the United States, Tribal islands, U.S. Territories, and the Commonwealth of Puerto Rico. If you travel outside of the state and intentionally violate this order, you may be subject to federal criminal proceedings under the Violence Against Women Act. 18 U.S.C. §§ 2261-2262.

If this order directs you to relinquish any firearm, other weapon, ammunition, or any firearm license to the sheriff or the appropriate law enforcement agency, you may do so upon service of this order. As an alternative, you mat relinquish any firearm, other weapon, or ammunition listed herein to a third party provided you and the third party first comply with all requirements to obtain a safekeeping permit. 23 Pa. C.S. § 6108.3. You must relinquish any firearm, other weapon, ammunition, or any firearm license listed in the order not later than 24 hours after service of the order. If , due to their current location, firearms, other weapons, or ammunition cannot reasonably be retrieved within the time for relinquishment, you must provide an affidavit to the sheriff or the appropriate law enforcement agency listing the firearms, other weapons, or ammunition and their current location no later than 24 hours after service of the order. Failure to timely relinquish any firearm, other weapon, ammunition, or any firearm license shall result in a violation of this order and may result in criminal conviction under the Uniform Firearms Act, 18 Pa. C.S. § 6105.

**NOTICE**: Even if this order does not direct you to relinquish firearms, you may be subject to federal firearms prohibitions and federal criminal penalties under 18 U.S.C. § 922 (g)(8) or state firearms prohibitions are state criminal penalties under 18 Pa. C.S. § 6105.

YOU HAVE THE RIGHT TO HAVE A LAWYER REPRESENT YOU AT THE HEARING, HOWEVER, THE COURT WILL NOT APPOINT A LAWYER FOR YOU. YOU HAVE THE RIGHT TO PRESENT EVIDENCE AT THE HEARING, INCLUDING SUBPOENAING WITNESSES TO TESTIFY ON YOUR BEHALF.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. IF YOU CANNOT FIND A LAWYER, YOU MAY HAVE TO PROCEED WITHOUT ONE.

Franklin County Bar Association Find A Lawyer Service 100 Lincoln Way East, Suite E Chambersburg, PA 17201 Telephone: 717-660-2118 www.franklinbar.org/find

Distribution to: Defendant, Plaintiff, Sheriff's Office, Pennsylvania State Police

### PETITION FOR PROTECTION FROM **INTIMIDATION ORDER**

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, PENNSYLVANIA NO.

1. PI	_AIN	TIFF
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Plaintiff's DOB First, Middle, Last

Plaintiff's Address: Plaintiff's address is confidential or Plaintiff's address is :

VS.

2. DEFENDANT **DEFENDANT'S IDENTIFIERS** 

> DOB **HEIGHT**

SEX WEIGHT First, Middle, Last, Suffix

> **RACE EYES**

**HAIR Defendants Address:** SSN

**DRIVERS LICENSE#** 

**EXP DATE STATE** 

CAUTION:

Weapon Involved

Weapon Present on the Property

Defendant's Place of Employment is:

Myself or Another person 3. I am filing this Petition on behalf of:

If you checked "myself", please answer all questions referring to yourself as "Plaintiff". If you ONLY checked "another person", please answer all questions referring to that person as the "Plaintiff", and provide you name and address here, as filer, unless confidential.

Filer's Name:

First, Middle, Last, Suffix

Filer's Address is Confidential or Filer's Address is:

If you checked "Another Person", indicate your relationship to the Plaintiff

Parent of minor Plaintiff(s) Application for appointment as guardian ad litem of minor

Plaintiff(s)

Adult household member with minor Plaintiff(s)

Name(s) of All persons, including minor child/ren for whom protection is sought:

Name: DOB:

4.	Has Defendant been involved in any criminal court action?
	If you answered Yes, is Defendant currently on probation or parole?
5.	The facts of the most recent incident of sexual violence are as follows:
	Approximate Date:
	Approximate Time:
	Approximate rime.
	Place:
	Describe in detail what happened, including any threats, injury, incidents of unwanted contact, and/or calls to law enforcement. (attach additional sheets of paper if necessary):
6.	If Defendant has committed prior acts of sexual violence against Plaintiff or other person(s) for whom protection is sought, describe these prior incidents, including any threats, injuries, or incidents of unwanted contact, and indicate approximately when such acts of abuse occurred (attach additional sheets of paper if necessary):
7.	(a) Has Defendant used or threatened to use firearms or other weapons against Plaintiff or other person(s) for whom protection is sought?
	(b) Other than the firearms, other weapons, or ammunition Defendant used or threatened to use against Petitioner or other person(s) for whom protection is sought, does Defendant, to the best of your knowledge or belief, own or possess any additional firearm, other weapon, ammunition, or any firearm license?
8.	Identify the sheriff, police department, or law enforcement agency in the area in which Plaintiff lives that should be provided with a copy of the protection order:
9.	There is an immediate and present danger from Defendant. CHECK THE FOLLOWING BOXES ONLY IF THEY APPLY TO YOUR CASE AND PROVIDE THE REQUESTED INFORMATION
	Plaintiff is asking the court to evict and exclude Defendant from the following residence:
	Owner by (List Owners, if known):
	Rented by (List all names, if known):
	Plaintiff has suffered out-of-pocket financial losses as a result of the abuse described above. (Those losses are):

FOR THE REASONS SET FORTH ABOVE, I REQUEST THAT THE COURT ENTER A TEMPORARY ORDER, AND AFTER HEARING, A FINAL ORDER THAT WOULD DO THE FOLLOWING (CHECK ALL FORMS OF RELIEF REQUESTED)

- A. Restrain Defendant from abusing, harassing, threatening, or stalking Plaintiff or the minor child/ren in any place where Plaintiff and/or the child/ren may be found.
- B. Evict/exclude Defendant from Plaintiff's residence and prohibit Defendant from attempting to enter any temporary or permanent residence of Plaintiff.
- C. Prohibit Defendant from having any contact with Plaintiff and/or the minor child/ren, either in person, by telephone, or in writing, personally or through third persons, including, but not limited to any contact at Plaintiff's school, business, or place of employment.

D.Prohibit Defendant from having any contact with Plaintiff's relatives and Plaintiff's children listed in this petition. The following persons are Plaintiff's relatives or family and household members that Plaintiff believes require protection from stalking and harassment by Defendant.

Name Address (optional) Relationship to Plaintiff

- E. Direct Defendant to pay Plaintiff for the reasonable financial losses suffered as the result of the sexual violence or intimidation, to be determined at the hearing.
- F. Order Defendant to pay the costs of this action, including filing and service fees.
- G. Order Defendant to pay Plaintiff's reasonable attorney's fees.
- H. Order the following additional relief, not listed above:

- I. Grant such other relief as Plaintiff requests or the court deems appropriate.
- J. Order the police, sheriff, or other law enforcement agency to serve Defendant with a copy of this petition, any order issued, and the order of hearing. Plaintiff will inform the designated authority of any address, other than Defendant's residence, where Defendant can be served.

#### **VERIFICATION**

I verify that neither I, nor any other person for whom protection is sought within this petition, has a relationship to the defendant that meets the definition of family or household member (spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood).

I verify that I am the petitioner as designated in the present action and that the facts and statements contained in the above Petition are true and correct to the best of my knowledge. I understand that any false statements are made subject to the Penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities

Signature		
Date		

# TEMPORARY PROTECTION FROM INTIMIDATION ORDER Amended Order Continued Order

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, PENNSYLVANIA NO.

1.	DΙ	ΔΙ	NI <sup>-</sup>	LIE	ΞF
1.		$\neg$ ı	ı v		

First, Middle, Last	Plaint	tiff's DOB
Name(s) of all protected persons, including m	inor child/ren and DOB:	
VS.		
2. DEFENDANT	DEFENDANT'S II	DENTIFIERS
	DOB	HEIGHT
First, Middle, Last, Suffix	SEX	WEIGHT
	RACE	EYES
Defendants Address:	HAIR	
	SSN	
	DRIVERS LICENS	<del>-</del> "
CAUTION:	EXP DATE	STATE
Weapon Involved		
Weapon Present on the Property		
The Court Hereby Finds: That is has jurisdictic provided with reasonable notice and opportunity		atter, and Defendant will be
The Court Hereby Orders:		
Defendant shall not abuse, harass, stalk, th the above persons in any place where they	reaten, or attempt or threaten to might be found.	o use physical force against any of
Defendant shall not contact Plaintiff, or any other means, including through third persons.		his order, by telephone or by any
Additional findings of this order are set fort	h below.	
Order Effective Date	Order Expiration Date	

# NOTICE TO THE DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 42 Pa.C.S.A. § 62A14. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can be changed or modified through the filing of appropriate court papers for that purpose. 42 Pa.C.S.A. § 62A07(c). Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. §§ 2261-2262.

	ND  NOW,  thisday of   , nce Protection Order, the court hereby en	20, upon consideration of the attached Petition for a Sexual ters the following Temporary Order:
Plaiı	ntiff's request for a Temporary Protection	Order is <b>denied</b> .
Plai	ntiff's request for a Temporary Protection	Order is <b>granted</b> .
	Defendant shall not abuse, harass, stalk or ound.	threaten any of the above persons in any place where they might
[NO resid poss	dence where Plaintiff or any other person	H DEFENDANT IS EXCLUDED] or any other permanent or temporary protected under this order may live. Plaintiff is granted exclusive have no right or privilege to enter or be present on the premises of
orde prote	r, either directly or indirectly, at any locat	<b>ONTACT</b> with Plaintiff, or any other person protected under this ion, including but not limited to any contact at Plaintiffs or other employment. Defendant is specifically ordered to stay away from order:
	efendant shall not contact Plaintiff, or any r means, including through third persons.	other person protected under this order, by telephone or by any
∏5. Th	e following additional relief is granted:	
		or indirect contact with the following designated persons of Plaintifi
_	·	
1		
1	Name	Relationship to Plaintiff
	Address (optional)	
2.	Name	Relationship to Plaintiff
	Name	Relationship to Plaintin
	Address (optional)	
3	Name	Relationship to Plaintiff
		·
-	Address (optional)	
	(Other relief)	
Ш	(other relief)	
•		
•		
☐ 6. A	certified copy of this order shall be provid other agency specified hereafter:	led to the sheriff or police department where Plaintiff resides and
☐ 7. TI		AL VIOLENCE PROTECTION ORDER OBTAINED BY THE SAME
8. T⊦		ENDANT AND SHALL REMAIN IN EFFECT UNTIL:
AFTE	OR UER NOTICE AND HEARING.	JNTIL OTHERWISE MODIFIED OR TERMINATED BY THIS COURT

#### NOTICE TO DEFENDANT

Defendant is hereby notified that violation of this order may result in arrest for indirect criminal contempt, which is punishable by a fine of up to \$1,000 and/or up to six months in jail. 42 Pa.C.S.A. § 62A14. Consent of Plaintiff to Defendant's return to the residence shall not invalidate this order, which can only be changed or modified through the filing of appropriate court papers for that purpose. 42 Pa.C.S.A. § 62A07(c). Defendant is further notified that violation of this order may subject him/her to state charges and penalties under the Pennsylvania Crimes Code and to federal charges and penalties under the Violence Against Women Act, 18 U.S.C. § § 2261-2262.

### NOTICE TO SHERIFF, POLICE, AND LAW ENFORCEMENT OFFICIALS

This order shall be enforced by the police department or sheriff who has jurisdiction over Plaintiffs residence OR any location where a violation of this order occurs OR where Defendant may be located. If Defendant violates Paragraphs 1 through 4 of this order, Defendant shall be arrested on the charge of indirect criminal contempt. An arrest for violation of this order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of a police officer or sheriff.

BY THE COURT:		
	Judge	
	Date	

## FINAL PROTECTION FROM INTIMIDATION ORDER Extended Order Amended Order

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, PENNSYLVANIA NO.

1. PLAINTIFF		
First, Middle, Last	Plai	ntiff's DOB
Name(s) of all protected persons, including n	ninor child/ren and DOB:	
VS.		
2. DEFENDANT	DEFENDANT'S	IDENTIFIERS
	DOB	HEIGHT
First, Middle, Last, Suffix	SEX	WEIGHT
	RACE	EYES
Defendants Address:	HAIR	
	SSN	
	DRIVERS LICEN	SE#
CAUTION:	EXP DATE	STATE
Weapon Involved Weapon Present on the Property		
The Court Hereby Finds: That is has jurisdicti provided with reasonable notice and opportu	on over the parties and subject unity to be heard.	matter, and Defendant will be
The Court Hereby Orders:		
Defendant shall not abuse, harass, stalk, the above persons in any place where the		n to use physical force against any of
Defendant shall not contact Plaintiff, or ar other means, including through third pers		this order, by telephone or by any
Additional findings of this order are set for	th below.	
Order Effective Date	Order Expiration Date	

#### NOTICE TO THE DEFENDANT

Violation of this order may result in your arrest on the charge of indirect criminal contempt which is punishable by a fine of up to \$1,000 and/or a jail sentence of up to six months. 42 PA C.S.A. § 62A14. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. A violation of this order may result in the revocation of the safekeeping permit, which will require the immediate relinquishment of your firearms, other weapons and ammunition to the sheriff. Plaintiff's consent to contact by Defendant shall not invalidate this order which can only be modified by further order of court. 42 PA C.S.A § 62A07(c). Defendant was served in accordance with the Pennsylvania Rules of Civil Procedure and provided notice of the time, date and location of the hearing scheduled in this matter.

Defendant was served in accordance with the Pennsylvania Rules of Civil Procedure and provided notice of the time, date and location of the hearing schedule in this matter.

AND NOW, on the court hornormoment of the court hornormoment of the court hornormoment.	having jurisdiction over the parties and the subject-matter, it is
This order was entered by (check one):	
By agreement.	
By agreement without admission.	
After a hearing and decision by the court.	
After a hearing at which Defendant was not presen	t, despite proper service being made.
By default.	
Other:	
Without regard as to how the order was entered, this is a f Protection of Victims of Sexual Violence or Intimidation Ac	final order of court subject to full enforcement pursuant to the t.
Plaintiff's request for a final protection order is <b>de</b>	nied.
Plaintiff's request for a final protection order is gra	nted.
	attempt to use physical force that would reasonably be
expected to cause bodily injury to Plaintiff or any other	r protected person in any place where they might be found.
2. Defendant is completely evicted and excluded from	the residence at:
(NON-CONFIDENTIAL ADDRESS FROM WHICH DEFEND	<b>DANT IS EXCLUDED)</b> or any other residence where Plaintiff or
	Exclusive possession of the residence is granted to Plaintiff. e present on the premises of Plaintiff or any other person
protected under this order.	
Defendant is prohibited from having ANY CONTACT	with Plaintiff, either directly or indirectly, or any other person
	out not limited to any contact at Plaintiff's school, business, or
place of employment. Defendant is specifically ordered	d to stay away from the following locations for the duration of th
order.	
4. Defendant shall not contact Plaintiff, or any other permeans, including through third persons.	erson protected under this order, by telephone or by any other
3. 1, 1. 1. 3. 1. 3. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	
5. The following additional relief is granted as authoriz	ed by § 6108 of the Act:
Defendant is prohibited from any direct or indirect	contact with the following designated persons of Plaintiff:
Detendant is prombited from any direct of indirect	contact with the following designated persons of Flamtin.
1	
Name	Relationship to Plaintiff
Address (optional)	
Address (optional)	
2	
Name	Relationship to Plaintiff
Address (optional)	
3	
Name	Relationship to Plaintiff
Address (optional)	

(Other relief)	
6(a) The costs of this action are imp	oosed on Defendant, as follows:
despite being served with a copy	contested proceeding, or a hearing at which Defendant was not present, of the petition, temporary order and notice of the date, time and place of the pay an additional \$100 surcharge to the court, which shall be distributed in A. § 62A05(C.1).
(c) Upon a showing of good cause waived.	or a finding that the Defendant is unable to pay, the costs of this action are
out-of-pocket losses, which are as f	to Plaintiff by as compensation for Plaintiffs ollows: as follows:
	OR
	ge or court to which the petition should be presented)
	et losses. The petition shall include an exhibit itemizing all claimed out-of- estimates of repair, and an order scheduling a hearing. No fee shall be e for the filing of this petition.
8. THIS ORDER SUPERSEDES ANY PRIO AGAINST THE SAME DEFENDANT.	R SEXUAL VIOLENCE PROTECTION ORDER OBTAINED BY THE SAME PLAINTIFF
9. All provisions of this order shall exp	re on: (CHECK ONE)
]	(insert days, months or years)
	OR
in three years, on	(insert expiration date)
NO	FICE TO THE DECENDANT

### NOTICE TO THE DEFENDANT

Violation of this order may result in your arrest on the charge of indirect criminal contempt which is punishable by a fine of up to \$1,000 and/or a jail sentence of up to six months. 23 PA. C.S.A. § 62A14. Violation may also subject you to prosecution and criminal penalties under the Pennsylvania Crimes Code. A violation of this order may result in the revocation of the safekeeping permit, which will require the immediate relinquishment of your firearms, other weapons and ammunition to the sheriff. Plaintiffs consent to contact by Defendant shall not invalidate this order which can only be modified by further order of court. 23 PA. C.S.A. § 62A07(c).

This order may be enforceable in all fifty (50) States, the District of Columbia, Tribal Lands, U.S. Territories and the Commonwealth of Puerto Rico under the Violence Against Women Act, 18 U.S.C. § 2265. If you travel outside of the state and intentionally violate this order, you may be subject to federal criminal proceedings under that act. 18 U.S.C. §§ 2261-2262.

#### NOTICE TO SHERIFF, POLICE AND LAW ENFORCEMENT OFFICIALS

The police and sheriff who have jurisdiction over Plaintiffs residence OR any location where a violation of this order occurs OR where Defendant may be located, shall enforce this order. The court shall have jurisdiction over any indirect criminal contempt proceeding, either in the county where the violation occurred or where this protective order was entered. An arrest for violation of paragraphs 1 through 4 of this order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the police or any sheriff. 42 Pa.C.S.A. § 62A12

When Defendant is placed under arrest for violation of this order, Defendant shall be taken to the appropriate authority or authorities before whom Defendant is to be arraigned. A "Complaint for Indirect Criminal Contempt" shall then be completed and signed by the police officer, sheriff OR Plaintiff. Plaintiffs presence and signature are not required to file the complaint.

If sufficient grounds for violation of this order are alleged, Defendant shall be arraigned, bond set and both parties given notice of the date of the hearing.

BY THE COURT:			
Juc	ge	D	ate
This order was entered pur	suant to the consent of the plaintiff and	d defendant.	
Plai	ntiff's Signature	Defendant's Signatu	 ure

# IN THE COURT OF COMMON PLEAS OF THE 39TH JUDICIAL DISTRICT OF PENNSYLVANIA - FRANKLIN COUNTY BRANCH

Plaintiff	:	Civil Action - Law		
VS.	:	No		
Defendant	:	Judge:		
ENTRY OF APPEARANCE	OF SELF-REPRESENTE	D PARTY		
l,	;	represent myself in the within action.		
I understand that I am under a corcourt, to other self-represented page	ntinuing obligation to parties, and to attorney	provide current contact information to the s of record.		
All pleadings and legal papers can	be served on me at the	e address below:		
Name		Signature		
Address		Telephone Number		
City, State, Zip		Date		
REMOVAL OR WITHDRA (If )	AWAL OF COUNSEL OF Applicable)	RECORD		
Remove	' Esq., as	' Esq., as my attorney of record.		
Withdraw my appearance fo	or the filing party.			
	Esq. (Print name)	ID#		
	Signature	Date:		

THE PARTY FILING THIS ENTRY OF APPEARANCE MUST PROVIDE NOTICE BY SENDING A COPY TO ALL PARTIES AND ATTORNEYS, INCLUDING THE ATTORNEY REMOVED FROM THE CASE.

# Plaintiff and Defendant Information Sheet Protection From Abuse Orders

Plaintiff:			S.S. Number:
Gender:			Date of Birth:
Race:			Age:
Plaintiff's Address:			
Jurisdiction where Plaintiff lives:			
Jurisdiction where Plaintiff works	:		
Defendant:			Alias:
Defendant's Address:			
Evoc			S.S. Number:
Eyes: Hair:			Date of Birth:
Height:			Age:
Weight:			Birth State:
Gender:			Permit to carry weapon:
Race:			Skin Tone:
Driver's License No.:			Defendant's Employment:
Driver's Vin No.:			
Facial Hair:			
Scars/Marks/Tattoos/Piercing:			
Know to carry weapons:			
Vehicle Make:	Model:	Year:	Color:
Jurisdiction where Defendant live	es:		
Jurisdiction where Defendant works:			

# SHERIFF'S OFFICE 14 N. Main St., CHAMBERSBURG, PENNSYLVANIA 17201

1. PLAINTIFF/S	2.COURTNUMBER				
3.DEFENDANT/S	4.TYPE OR WRIT OR COMPLAINT				
SERVE 5.NAME OF INDIVIDUAL, COMPANY, CO	RPORATION, ETC., TO SERVE				
6.ADDRESS (Street or RFD, Apartment No., City, Borough, TWP., State & Zip Code)					
7. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE					
8. SIGNATURE OF ATTORNEY OR OTHER ORIGIN	IATOR 9. PHONE NUMBER 10. DATE				