

CIRCUIT COURT OF ILLINOIS
TWENTY-SECOND JUDICIAL CIRCUIT
MCHENRY COUNTY

- Independent
 Criminal
 Juvenile

LISA MARIE SHAMHART (56)

Petitioner's Name (Person completing form)

Name(s) of other protected parties

DANIELLE MARIE BERG (35)

Check if filing on behalf of:

a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

LISA MARIE SHAMHART (56)

VS.

Case # 2019OP000822

MARY MCCLELLAN

(to be completed by Court)

Ref Case#

Respondent's Name (Person you want protection from)

STALKING NO CONTACT ORDER

EMERGENCY STALKING NO CONTACT ORDER

Issued on: Date: 10/25/2019 Time: 01:23 PM a.m/p.m
Expires on: Date: 11/15/2019 Time: 05:00 PM a.m/p.m

NOTICE

Hearing is set for: Date: 11/15/2019 Time: 09:00 AM a.m/p.m at the
McHenry County Courthouse, Courtroom 365, 2200 N. Seminary Avenue
Woodstock IL 60098, IL (street address)
(city)

PLENARY STALKING NO CONTACT ORDER

(Requires Service of Process Under 740 ILCS 21/60)

Issued on: Date: _____ Time: _____ a.m/p.m

In effect until:

Date: _____ Time: _____ a.m/p.m (not to exceed 2 years).

This Stalking No Contact Order is modified or vacated.

Final disposition when a Bond Forfeiture Warrant has been issued.

Two years following expiration of any sentence of supervision, conditional discharge, probation, periodic imprisonment, imprisonment or mandatory supervised release on _____

Final judgment is rendered in Case No. _____

Petitioner Respondent given a copy of this Order in open court on _____

FILED

OCT 25 2019 01:23 PM

Stalking No Contact

CLERK OF THE
TWENTY-SECOND JUDICIAL CIRCUIT
MCHENRY COUNTY

PETITIONER INFORMATION

Name: LISA MARIE SHAMHART (56)
Address: 508 LAKE AVE WOODSTOCK IL 60098
(Street/ P. O. Box) (City) (State) (Zip)

Other protected persons (persons to be included in the Stalking No Contact Order), in addition to the Petitioner are :

Name: DANIELLE MARIE BERG (35)
Address: HUNTLEY IL 60142
(Street/ P. O. Box) (City) (State) (Zip)

RESPONDENT INFORMATION

Name : MARY MCCLELLAN DOB : _____
Sex : Male Female Race: WHITE Height: 5'5" Weight: 160
Hair Color: BROWN Eye Color: -- Social Security#: _____
Driver's License #: _____ License Plate #: BYE CYA
Driver's License State: IL License Plate State: IL
Other Numeric Identifier: _____ Description: _____
(number - optional) (e.g. passport #, military serial #, or other)

Home Address: 3014 S. BERGMAN HOLIDAY HILLS IL 60051
(Street/ P. O. Box) (City) (State) (Zip)

Name of Workplace: _____ Work Hours: _____

Work Address: _____ IL
(Street/ P. O. Box) (City) (State) (Zip)

Distinguishing Physical Features: _____

- Respondent is incarcerated at _____
- Respondent's address is unknown

CAUTION INDICATOR

Respondent may be (A) (S) (Y)

NOTICE TO RESPONDENT

ANY KNOWING VIOLATION OF A STALKING NO CONTACT ORDER IS A CLASS A MISDEMEANOR. ANY SECOND OR SUBSEQUENT VIOLATION IS A CLASS 4 FELONY.

NOTICE TO LAW ENFORCEMENT AGENCIES AND OFFICERS

Any law enforcement officer may make an arrest without warrant if the officer has probable cause to believe that the person has committed or is committing a violation of a stalking no contact order. 740 ILCS 21/130 (a)

FINDINGS [Emergency Order]

- The Court finds that good cause exists for granting the remedy regardless of prior service of process or notice upon the Respondent, because the harm which that remedy is intended to prevent would be likely to occur if Respondent were given any prior notice or greater notice than was given, of Petitioner's efforts to obtain judicial relief.

FINDINGS [Jurisdiction]

The court finds that Respondent:

- has been served with process and notice pursuant to statute.
- has entered an appearance in this case.
- is present in court, in person, and/or with counsel, _____
- is in default.
- has filed an answer.
- Finding that Petitioner has diligently attempted to complete service of process, has not been able to serve Respondent, and has given notice by publication (service completed 30 days after the first of three publication notices) Reasonable efforts to accomplish actual service has been shown by evidence or affidavit (740 ILCS 21/60 (c)).

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including but not limited to the nature, severity and impact on the Petitioner of Respondent's two or more acts of following, monitoring, observing, surveilling, threatening, communicating or interfering or damaging property or pets of Petitioner, including Respondent's concealment of his/her location in order to evade service of process or notice, and the likelihood of danger of future acts of following, monitoring, observing, surveilling, threatening, communicating or interfering or damaging property or pets of the party to be protected.

The Court further finds that:

- Venue is proper (740 ILCS 21/55).
- Upon examination of the Verified Petition, Petitioner under oath, and other evidence, Petitioner is a victim of two or more acts of following, monitoring, observing, surveilling, threatening, communicating, or interfering or damaging to property or pets by Respondent.
- The victim is unable to bring this Petition on his/her own behalf due to age, health, disability, or inaccessibility (740 ILCS 21/15(b)).
- The parties stipulate to a factual basis for the issuance of a Stalking No Contact Order.

IT IS ORDERED THAT:

- Respondent is prohibited from threatening to commit or committing stalking personally or through third party.
- That the respondent may not contact the Petitioner and/or other protected persons in any way, directly, indirectly or through third parties, including, but not limited to, phone, written notes, mail, email, or fax.
- That the Respondent be ordered to stay at least 200 feet away from the petitioner, and Petitioner's residence, school, daycare, employment and any other specified place. That Respondent be prohibited from entering or remaining at the Petitioner's:
 - place of residence, located at _____, WOODSTOCK, IL 60098
 - place(s) of employment, located _____ WOODSTOCK, IL 60098
 - school(s) or/ and daycare, located at _____

- Respondent is prohibited from attending this school.
- Respondent is ordered to accept a transfer, change of placement or change of program, specifically

- Respondent is subject to the following restrictions within the school, specifically

- If Respondent is a minor, the Court orders that the parents, guardian or legal custodian take the following actions to ensure compliance with this Order, specifically

- and any of the following specified places, when Petitioner is present:

4. That the Respondent be prohibited from possessing a Firearms Owners Identification Card, or possessing or buying firearms.

5. Other injunctive relief as follows:

6. The Circuit Clerk shall serve this order on the following wireless telephone provider(s) to transfer all financial responsibilities and the right to use the phone number(s) listed below to the petitioner.

Name of the wireless service provider	Name of the account holder on the plan	US State in which the phone is registered	Billing telephone number of the account holder	The telephone number to be transferred

If petitioner is requesting costs and/or attorney fees, petitioner shall file a motion and itemized bills and invoices within 30 days of this order.

This order can be extended upon notice filed in the office of the Clerk of this Court and a hearing held **prior to the expiration of this Order**. NOTE: To ensure adequate time for a hearing, it is recommended that Petitioner seek an extension at least 3 weeks prior to the expiration of this order.



JUDGE JENNIFER JOHNSON

TRAN#: IPO245878212517357

I hereby certify that this is a true and correct copy of the original Order on file with the court.



(seal of the Clerk of Circuit Court)

Katherine M Keefe
Clerk of the Circuit Court of

MCHENRY County, IL

Date: 10/25/2019

cc: Petitioner Respondent Counsel of Record Sheriff Advocate Jail S/A

DEFINITION OF TERMS USED IN THIS STALKING NO CONTACT ORDER

1. **Stalking No Contact Order** : an emergency order or plenary order granted under the Stalking No Contact Order Act (the Act), which includes any remedy authorized by 740 ILCS 21/80.
2. **Course of Conduct** :means two or more acts, including but not limited to acts in which a respondent directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, or threatens a person, workplace, school, or place of worship, engages in other contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications. The incarceration of a person in penal institution who commits the course of conduct is not a bar to prosecution under this Section.
3. **Emotional distress**: means significant mental suffering, anxiety or alarm.
4. **Contact** :includes any contact with the victim, that is initiated or continued without the victim's consent, or that is in disregard of the victim's expressed desire that the contact be avoided or discontinued, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; placing an object on, or delivering an object to, property owned, leased, or occupied by the victim; or appearing at the prohibited workplace, school, or place of worship.
5. **Petitioner**: means any named petitioner for the stalking no contact order or any named victim of stalking on whose behalf the petition is brought. "Petitioner" includes an authorized agent of a place of employment, an authorized agent of a place of worship, or an authorized agent of a school.
6. **Reasonable Person**: means a person in the petitioner's circumstances with the petitioner's knowledge of the respondent and the respondent's prior acts.
7. **Stalking** :means engaging in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety, the safety of a workplace, school, or place of worship, or the safety of a third person or suffer emotional distress. Stalking does not include an exercise of the right to free speech or assembly that is otherwise lawful or picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.



Katherine M. Keefe
Clerk of the Circuit Court
22nd Judicial Circuit - McHenry County, Illinois
2200 N. Seminary Avenue
Woodstock, IL 60098
www.mchenrycircuitclerk.org

RECEIPT FOR PAYMENT

Receipt: 5538550

Date: Oct 31, 2019

Time: 10:00 AM

Received From: MCCLELLAN, MARY

Paid By: CASH

\$8.00

Total Paid:

\$8.00

Case Number: 19OP000822

SHAMHART, LISA M VS MCCLELLAN, MARY

COPIES COST

\$8.00

Total Paid on this case:

\$8.00

Balance Due:

\$0.00

**** The Balance Due can increase if a warrant or other court-ordered paper is served by an arresting agency.**