

IN THE CIRCUIT COURT OF THE Eighteenth JUDICIAL CIRCUIT,  
IN AND FOR Seminole COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: \_\_\_\_\_

Catherine Burke &  
[Redacted] Petitioner,  
(minor child)  
and

Edward Shannon Burke  
Respondent.

**PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE**

I, {full legal name} Catherine Burke, being sworn, certify that the following statements are true:

**SECTION I. PETITIONER** (This section is about you. It must be completed. However, if you fear that disclosing your address to the respondent would put you in danger, you should complete and file Petitioner's Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write confidential in the space provided on this form for your address and telephone number.)

1. Petitioner's current address is: {street address} [Redacted]  
{city, state and zip code} Altamonte Springs, FL 32701  
Telephone Number: {area code and number} [Redacted]  
Physical description of Petitioner:  
Race: W Sex: Male  Female  Date of Birth: [Redacted]
2. Petitioner's attorney's name, address, and telephone number is: Michael Bethel  
319 Park Lake Circle, Orlando, FL 32801 (407) 999-9596  
(If you do not have an attorney, write none.)

**SECTION II. RESPONDENT** (This section is about the person you want to be protected from. It must be completed.)

1. Respondent's current address is: {street address, city, state, and zip code} John E. Polk  
Correctional Facility INMATE #  
Respondent's Driver's License number is: {if known} UNKNOWN
2. Respondent is: [please list all that apply]

- a.  the spouse of Petitioner. Date of Marriage: 7/28/2008
  - b.  the former spouse of Petitioner.  
 Date of Marriage: \_\_\_\_\_  
 Date of Dissolution of Marriage: \_\_\_\_\_
  - c.  related by blood or marriage to Petitioner.  
 Specify relationship: \_\_\_\_\_
  - d.  a person who is or was living in one home with Petitioner, as if a family.
  - e.  a person with whom Petitioner has a child in common, even if Petitioner and Respondent never were married or living together.
3. Petitioner has known Respondent since (date) \_\_\_\_\_
4. Respondent's last known place of employment: Clear Channel Communications  
 Employment address: \_\_\_\_\_  
 Working hours: \_\_\_\_\_
5. Physical description of Respondent:  
 Race: W Sex: Male  Female  Date of Birth: 5/27/1965  
 Height: 6'2" Weight: 285 Eye Color: \_\_\_\_\_ Hair Color: BROWN  
 Distinguishing marks or scars: LOTS OF TATTOO'S  
 Vehicle: (make/model) \_\_\_\_\_ Color: \_\_\_\_\_ Tag Number: \_\_\_\_\_
6. Other names Respondent goes by (aliases or nicknames): Shannon Burke
7. Respondent's attorney's name, address, and telephone number is: UNKNOWN
- (If you do not know whether Respondent has an attorney, write unknown. If Respondent does not have an attorney, write none.)

**SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION** (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence against Respondent in this or any other court?  
 Yes  No  If yes, what happened in that case? (include case number, if known)  
 \_\_\_\_\_  
 \_\_\_\_\_

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence against Petitioner in this or any other court?

Yes  No If yes, what happened in that case? (include case number, if known)

---


3. Describe **any other** court case that is either going on now or that happened in the past, including a dissolution of marriage, paternity action, or child support enforcement action, **between Petitioner and Respondent** (include city, state, and case number, if known): N/A

---

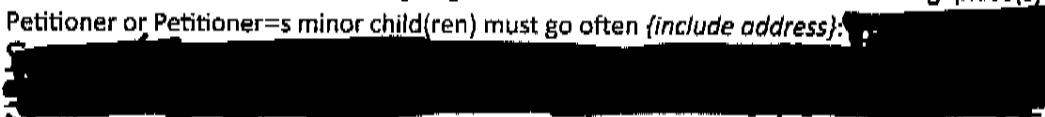
4. Petitioner is either a victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence because respondent has (mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or time-sharing exchange):

- a.  committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- b.  previously threatened, harassed, stalked, or physically abused the petitioner.
- c.  attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
- d.  threatened to conceal, kidnap, or harm the petitioner's child or children.
- e.  intentionally injured or killed a family pet.
- f.  used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- g.  physically restrained the petitioner from leaving the home or calling law enforcement.
- h.  a criminal history involving violence or the threat of violence (if known).
- i.  another order of protection issued against him or her previously or from another jurisdiction (if known).
- j.  destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.
- k.  engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.

Below is a brief description of the latest act of violence or threat of violence that causes Petitioner to honestly fear imminent domestic violence by Respondent.

2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a final judgment on injunction prohibiting Respondent from committing any acts of domestic violence against Petitioner and:
- a. prohibiting Respondent from going to or within 500 feet of any place the Petitioner lives;
  - b. prohibiting Respondent from going to or within 500 feet of the Petitioner's place(s) of employment or school; the address of Petitioner's place(s) of employment or school is: \_\_\_\_\_  

  - c. prohibiting Respondent from contacting Petitioner by mail, by telephone, through another person, or in any other manner;
  - d. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle.
  - e. prohibiting Respondent from defacing or destroying Petitioner's personal property.

[all that apply]

- f.  prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's minor child(ren) must go often (include address): \_\_\_\_\_  

- g.  granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share;
- h. \_\_\_ granting Petitioner on a temporary basis 100% of the time sharing with the parties' minor child(ren);
- i. \_\_\_ establishing a temporary parenting plan including a temporary time-sharing schedule for the parties' minor child(ren);
- j. \_\_\_ granting temporary alimony for Petitioner;
- k. \_\_\_ granting temporary child support for the minor child(ren);
- l.  ordering Respondent to participate in treatment, intervention, and/or counseling services;
- m.  referring Petitioner to a certified domestic violence center; and any other terms the Court deems necessary for the protection of Petitioner and/or Petitioner's child(ren), including injunctions or directives to law enforcement agencies, as provided in section 741.30, Florida Statutes.

**I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.**

(Use additional sheets if necessary.)

On {date} 4/30/2009, at {location} [REDACTED]

the Respondent Please see attached statement and pictures.

[Empty lined area for additional text]

Please indicate here if you are attaching additional pages to continue these facts.

5. Additional Information

[ all that apply]

- a.  Other acts or threats of domestic violence as described on attached sheet.
- b.  This or other acts of domestic violence have been previously reported to {person or agency}: \_\_\_\_\_
- c.  Respondent owns, has, and/or is known to have guns or other weapons.  
Describe weapon(s): 40 caliber handgun, Shotgun
- d.  Respondent has a drug problem.
- e.  Respondent has an alcohol problem.
- f.  Respondent has a history of mental health problems. If checked, answer the following, if known.

Has Respondent ever been the subject of a Baker Act proceeding? ( ) Yes ( ) No  
 Is Respondent supposed to take medication for mental health problems? ( ) Yes ( ) No  
 If yes, is Respondent currently taking his/her medication? ( ) Yes ( ) No

**SECTION IV. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME** (Complete this section **only** if you want the Court to grant you temporary exclusive use and possession of the home that you share with the Respondent.)

1. Petitioner claims the following about the home that Petitioner and Respondent share or that Petitioner left because of domestic violence:

[ all that apply]

a.  Petitioner needs the exclusive use and possession of the home that the parties share at {street address} [REDACTED] {city, state, zip code} \_\_\_\_\_

b.  Petitioner cannot get another safe place to live because: She is financially unable to do so at this time

c. \_\_\_ If kept out of the home, Respondent has the money to get other housing or may live without money at {street address} \_\_\_\_\_ {city, state, zip code} \_\_\_\_\_

2. The home is:

[one only]

- a.  Owned or rented by Petitioner and Respondent jointly.
- b. \_\_\_ solely owned or rented by Petitioner.
- c. \_\_\_ solely owned or rented by Respondent.

**SECTION V. TEMPORARY PARENTING PLAN WITH TEMPORARY TIME-SHARING SCHEDULE FOR MINOR CHILD(REN)** (Complete this section **only** if you are asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties which might involve prohibiting or limiting time-sharing or requiring that it be supervised by a third party. You must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren). If you are asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties which might involve prohibiting or limiting time-sharing or requiring that it be supervised by a third party, you must also complete and file a **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d).)

**Note:** If the paternity of the minor child(ren) listed below has not been established through either marriage or court order, the Court may deny a request to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children, and/or a request for child support.

1. Petitioner is the natural parent, adoptive parent, or guardian by court order of the minor child(ren) whose name(s) and age(s) is (are) listed below.

Name	Place of Birth	Birth date	Sex
[REDACTED]			

2. The minor child(ren) for whom Petitioner is asking the court to provide a temporary parenting plan, including a temporary time-sharing schedule with regard to:

[ one only]

- a. \_\_\_ saw the domestic violence described in this petition happen.
- b. \_\_\_ were at the place where the domestic violence happened but did not see it.
- c. \_\_\_ were not there when the domestic violence happened this time but have seen previous acts of domestic violence by Respondent.
- d. \_\_\_ have not witnessed domestic violence by Respondent.

3. Name any other minor child(ren) who were there when the domestic violence happened. Include child(ren)'s name, age, sex, and parents' names. [REDACTED]

Edward Shannon Burke (1<sup>ST</sup> INCIDENT ONLY)

**4. Temporary Parenting Plan and Temporary Time-Sharing Schedule**

[all that apply]

- a. \_\_\_ Petitioner requests that the Court provide a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child or children of the parties, as follows: \_\_\_\_\_
- b. \_\_\_ Petitioner requests that the Court order supervised exchange of the minor child(ren) or exchange through a responsible person designated by the Court. The following person is suggested as a responsible person for purposes of such exchange. Explain: \_\_\_\_\_
- c. \_\_\_ Petitioner requests that the Court limit time-sharing by Respondent with the minor child(ren). Explain: \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_ Petitioner requests that the Court prohibit time-sharing by Respondent with the minor child(ren) because Petitioner genuinely fears that Respondent imminently will abuse, remove, or hide the minor child(ren) from Petitioner. Explain: \_\_\_\_\_

\_\_\_\_\_

e. \_\_\_ Petitioner requests that the Court allow only supervised time-sharing by Respondent with the minor child(ren). Explain: \_\_\_\_\_

\_\_\_\_\_

Supervision should be provided by a Family Visitation Center, or other (specify): \_\_\_\_\_

**SECTION VI. TEMPORARY SUPPORT** (Complete this section **only** if you are seeking financial support from the Respondent. You must also complete and file a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c), and **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j), if you are seeking child support. A **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), must be filed with the court at or prior to a hearing to establish or modify child support.)

[ all that apply]

1. \_\_\_ Petitioner claims a need for the money he or she is asking the Court to make Respondent pay, and that Respondent has the ability to pay that money.

2. \_\_\_ Petitioner requests that the Court order Respondent to pay the following temporary alimony to Petitioner. (Petitioner must be married to Respondent to ask for temporary alimony.) Temporary Alimony Requested \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month.

3. \_\_\_ Petitioner requests that the Court order Respondent to pay the following temporary child support to Petitioner. (The respondent must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren) for the court to order the respondent to pay child support.) Temporary child support is requested in the amount of \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month.

**SECTION VII. INJUNCTION** (This section summarizes what you are asking the Court to include in the injunction. This section must be completed.)

1. Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against domestic violence that will be in place from now until the scheduled hearing in this matter.

Written, sworn statement from Catherine Ann Burke:

On or around January 18, 2009, Shannon and I were at home and he became angry with me. Shannon had been drinking and he was yelling profanities and became progressively angrier to the point that he got so upset with me that he pushed me over a chair. He pushed me with such force and aggression that I was pushed over the chair hitting my head and chin on a stereo speaker. My daughter, [REDACTED] and Shannon's daughter, [REDACTED] minor child under the age of 10, were in the home at the time this was occurring. Fearing that they would witness or hear what was going on, I asked Shannon to please go into the bedroom if he wanted to talk. It was while we were in the bedroom that Shannon continued to yell a string of profanities and aggressively pushed me again. I pleaded for him to stop and I left the bedroom crying and yelling for my daughter [REDACTED] telling her we were leaving the house. When I tried to leave with [REDACTED] Shannon tried to block us from leaving in my car by parking his car behind mine so that I couldn't leave. Shannon also placed a large planter pot in our way that my daughter [REDACTED] had to move. I was finally able to leave and I took [REDACTED] to her Father's house. Since this incident in January, there have been multiple occasions upon which Shannon has been aggressive with me. He has aggressively grabbed my arm in an effort to physically hurt me to the point he has left bruises on my arms. All of these incidents have occurred while Shannon has/had been heavily intoxicated. Shannon is a very heavy drinker and tends to drink heavily on a daily basis, and has done so for quite some time. He drinks most heavily in the evenings. I have also witnessed him smoking pot in and outside of our home.

The most recent incident of domestic violence is the day of April 30, 2009. Around mid-afternoon I noticed that I had a series of missed calls from Shannon. There were 10 missed calls directly in a row, along with numerous text messages as well. Despite calling 10 times in a row, Shannon left only a couple of voicemails; however they were aggressive and profane in nature. The voicemails and text messages were left regarding the whereabouts of his dog, Waco that had dug out of the backyard earlier that morning and had not yet returned. At around 10:25 p.m., Shannon arrived home and

came directly into the bedroom where my dog, Charlotte and I were. I was sitting on the bed and Charlotte was laying about twelve inches from my feet on the foot of the bed. I was sitting there about to do my nails when Shannon came in and asked me, "Where's Waco?" I told him that I didn't know where he was and that I was tired of taking care of him and that he needed to take responsibility for his dog. At that point Shannon told me that since I obviously didn't care about his dog, he didn't care about my dog either. He then picked Charlotte up and threw her harshly to the ground. He walked over to the closet and grabbed his gun and told me "I'm going to shoot the dog in the head and you are going to watch". This was the first time I had ever seen him get his gun out. Charlotte was still lying on the floor next to the bed, where he threw her, pointed the gun directly at her, and shot the gun. Nothing happened so he took the clip out and put the second clip in. He then grabbed Charlotte and put her back on the end of the bed and told me he was going to kill my dog and make me watch. He stood over the bed and pointed the gun at Charlotte and fired the gun. Charlotte yelped in agony and directly after I felt a burning pain on the side of my head. I fell backwards against the pillows and noticed the gush of blood on my head and pillows. Both Shannon and I began applying pressure to my head realizing I'd been shot. Shannon had to remove his hands from my head in order to call 9-1-1 so I sat there applying pressure to try and stop the bleeding. I was beginning to feel woozy and felt like I was going to bleed to death. I didn't feel like Shannon was placing enough urgency in his request for help so I tried to reach for my phone to call 9-1-1 myself. I had to remove my hand from my head, and wiping the blood away from my hand on the sheets, I picked up my phone but because of the blood, I couldn't get my I-phone to work. Shannon told me to put the phone down and not to call anyone. I started to feel very sleepy and fuzzy at this point because of the loss of blood. Shannon stayed with me until he met the emergency officials at the front door upon their arrival at the house. I am writing this statement now because on the night of this incident I was not as coherent and I wanted to provide a full and accurate description of the night's events while they were still fresh in my mind.

This is Mrs. Burke's statement as transcribed by her lawyer, Michael K. Rathel, given on May 4, 2009 at 6:00 p.m. at Orlando Regional Medical Center.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

Dated: May 4, 2009

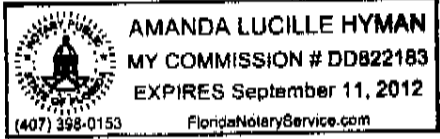
CAB  
(initials)

Catherine Ann Bueh  
Signature of Petitioner

STATE OF FLORIDA  
COUNTY OF Orange

Sworn to or affirmed and signed before me on 5/4/2009 by \_\_\_\_\_

Amanda Lucille Hyman  
NOTARY PUBLIC or DEPUTY CLERK



Amanda Lucille Hyman  
[Print, type, or stamp commissioned name of notary or clerk.]

Personally known  
 Produced identification  
Type of identification produced \_\_\_\_\_