



PETITION FOR PROTECTIVE ORDER		District Court of <u>Cleveland</u> County State of Oklahoma																																				
		Case No. PO-20 <u>24-992 (LM)</u>																																				
		Court Phone Number () _____																																				
Petitioner		Additional Petitioner Information																																				
<u>Kayla</u> <u>Millian</u> <u>Ball</u> First Middle Last and/or on behalf of minor family member(s)		[Redacted]																																				
-VS-		Defendant Identifiers																																				
Defendant		<table border="1"> <tr> <th>SEX</th> <th>RACE</th> <th>DOB</th> <th>HT</th> <th>WT</th> </tr> <tr> <td><u>M</u></td> <td><u>White</u></td> <td style="background-color: black; color: white;">[Redacted]</td> <td><u>6'1</u></td> <td><u>150</u></td> </tr> <tr> <th>EYES</th> <th>HAIR</th> <th colspan="3">DISTINGUISHING FEATURES</th> </tr> <tr> <td><u>Blue</u></td> <td><u>Brown / Gray</u></td> <td colspan="3"></td> </tr> <tr> <th>DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="3">EXPIRES</th> </tr> <tr> <td></td> <td></td> <td colspan="3"></td> </tr> <tr> <td colspan="5">Other</td> </tr> </table>		SEX	RACE	DOB	HT	WT	<u>M</u>	<u>White</u>	[Redacted]	<u>6'1</u>	<u>150</u>	EYES	HAIR	DISTINGUISHING FEATURES			<u>Blue</u>	<u>Brown / Gray</u>				DRIVERS LICENSE #	STATE	EXPIRES								Other				
SEX	RACE	DOB	HT	WT																																		
<u>M</u>	<u>White</u>	[Redacted]	<u>6'1</u>	<u>150</u>																																		
EYES	HAIR	DISTINGUISHING FEATURES																																				
<u>Blue</u>	<u>Brown / Gray</u>																																					
DRIVERS LICENSE #	STATE	EXPIRES																																				
Other																																						
<u>Austin</u> <u>Lee</u> <u>Ball</u> First Middle Last Relationship to Petitioner: <u>Spouse</u>																																						
Defendant's Address (Street address, City, State, Zip) Co _____ _____ _____																																						

(Clerk's File Stamp Below)

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }

FILED

NOV 18 2024

In the office of the
Court Clerk MARILYN WILLIAMS

1. Information About the Parties.

Several factors may apply. Please read ALL items below carefully & check any that apply.

A. The Defendant's Relationship to Petitioner(s):

1. Intimate Partner:

- Defendant is my current spouse
- Defendant is my former spouse
- Defendant and I are dating, or have dated, each other
- Defendant and I are, or have been, engaged in a sexual relationship
- Defendant and I are the biological parents of the same child
- Defendant and I currently live together, or previously lived together, in an intimate relationship
- Defendant is an Intimate Partner of a minor child listed above

II. Family or Household Member:

- Defendant is my parent, grandparent, stepparent, adoptive parent, or foster parent
- Defendant is my child, grandchild, stepchild, adopted child, or foster child
- Defendant is otherwise related to me (by marriage or blood) and _____ does or _____ does not (check one) live in the same household as me
- Defendant lives in the same household as me, or lived with me within the past year, but is NOT related to me (by marriage or blood)
- Defendant is a _____ Family Member and/or _____ Household Member (check one or both) of the minor child(ren) listed above

B. If you DID check one or more items in Section A above, then complete this section.

Petitioner is a (check all that apply):

- Victim of Domestic Violence/Abuse*
- Victim of Harassment*
- Adult Victim of Other Crime
- Family or Household Member of the Minor Child/Children Listed Above
- Victim of Stalking*
- Victim of Rape
- Victim of Child Abuse

C. If you DID NOT check one or more items in Section A above, then complete this section.

Defendant has committed the following acts against Petitioner and/or the minor(s) listed above:

- Rape
- Forcible Sodomy
- Sex Offense
- Kidnapping
- Assault and Battery with a Deadly Weapon
- Child Abuse
- Stalking*
- Other Crime against an Adult Victim

POLICE REPORT: If you are NOT a family or household member, or in a dating relationship with Defendant, please see Appendix 1 for further information about whether you must attach a police report.

DEFINITIONS: Terms with an asterisk (*) have specific meanings. See Appendix 2 for important definitions.

D. First Degree Murder (check if applicable). Petitioner is an Immediate Family Member of a Victim of First Degree Murder, and Defendant has Been Charged and Convicted of that Crime

2. Statement of Jurisdiction.

INSTRUCTION: Check all that apply

- Petitioner is a resident of the county wherein this Petition is filed.
- Defendant is a resident of the county wherein this Petition is filed.
- The domestic abuse occurred in the county wherein this Petition is filed.

3. Actions of the Defendant

INSTRUCTION: Check and complete one or more of the following. Fill in the blank lines of checked items.

DEFINITIONS: Terms with an asterisk (*) have specific meanings. See Appendix 2 for important definitions.

- DOMESTIC ABUSE*: The Defendant has caused or attempted to cause physical harm to: Kayla Ball. (Name(s))
- DOMESTIC ABUSE*: The Defendant has threatened* imminent physical harm to: _____ (Name(s))
- The Defendant has harassed* Kayla Ball _____ (Name(s))
- The Defendant has stalked* _____ (Name(s))
- The Defendant has committed: Rape Forcible Sodomy Sex Offense Kidnapping ~~Child Abuse~~ Child Abuse First Degree Murder against _____ (Name(s))
- The Defendant has committed the crime of _____ against Petitioner (adult victim of crime, 22 O.S. §60.2(A)).

4. Description of Incident(s)

The incident(s) which caused the filing of the petition occurred on or about 2014-2024 (Date(s)). Describe what happened, when and where the event(s) occurred. List all actions or behaviors you intend to present to the Court at the hearing.

My spouse has beat me since the beginning of the marriage. I have been choked, held at gun point, beaten with a wrench. He has been verbally abusive to our children as well as thrown items at them when he was upset with me. He sent text of harassment of myself. He has recorded me while I am asleep without my consent and has threatened to post them a revenge porn. Spouse has wish page on me and talks about it all the time. Bringing up past trauma that


He knows about. He also recorded ~~himself~~
on top of me while I was unconscious
and when asked why he did that he
told me "you cant Rape your wife"
~~He said~~ He has outstanding warrants
for ~~the~~ Domestic violence and violation of
a vpo. emotionally abuses our children by
telling them ~~to~~ about my sexual relations,
telling them "whoever dont love them, Hate them"
have adult consorting with minors.



OFFICE OF THE DISTRICT ATTORNEY
TENTH JUDICIAL DISTRICT, COLORADO
J.E. CHOSTNER
District Attorney

November 18, 2024

Kayla M Ball

RE: DA Case #: C0512016M 002352
Agency Case #: 16023049
Defendant: Austin Lee Ball
Victim Advocate: Megan Luccro Victim Assistant Advocate Phone: 
Prosecutor: Anne Kirsten Mayer
Courtroom: 304

Dear Kayla M Ball

Our Victim/Witness Assistance Program was established to help crime victims and witnesses with support and assistance during the court process. We hope to make the criminal justice system easier for you to understand and more responsive to your needs.

Our office has filed a criminal case charging the above-named Defendant with the following:

Domestic Violence

18-3-204(1)(a) M1 ASSAULT 3-KNOW/RECKLESS CAUSE INJURY
18-9-111(1)(a) M3 HARASSMENT-STRIKE/SHOVE/KICK
18-6-803.5(1)(a) M1 VIOLATION P/O-CRIMINAL
18-6-401(1),(7)(b)(II) M3 CHILD ABUSE-NEGLIGENCE-NO INJURY

- The enclosed Victim Impact Statement is an opportunity for you to provide input to the Court about the injuries and emotional trauma that you have suffered as a result of this crime. This form also requests information regarding any financial losses you have sustained because of the crime. It is important that you document your losses with receipts or estimates. **Please be aware that the Defendant and/or the attorney will see your Victim Impact Statement.** Please submit this Victim Impact Statement to the District Attorney's Office as soon as possible.
- As a victim of a Victim Rights Act (VRA) crime, you have rights under the constitution of the state of Colorado. The enclosed Victim Rights brochure provides information about these rights and who to contact if you feel you have not been provided your rights.
- You may be entitled to Victim Compensation for the losses that you have incurred as a result of this crime. The District Attorney's Office can assist you with a obtaining a Victim Compensation application.
- You will be notified of the date, time and place of critical stages. Critical stages are events in the criminal justice process about which you have the right to be notified. If the critical stage occurs in court, you have the right to be present in court.

- A Defendant can plead guilty and be sentenced at any court event. You have the right to be heard by the Court at bond reduction or modification, the acceptance of a negotiated plea, the sentencing and any modification of sentencing.
- If you are unable to attend a critical stage that occurs in court but would like to be heard by the Court if the Defendant accepts the plea and/or is sentenced, please inform the District Attorney's Office that you are unable to be present but that you would like to be heard if the Defendant accepts a plea and is sentenced.
- You have the right to consult with the Deputy District Attorney handling the criminal case about the resolution of the case. Criminal cases can take several months, sometimes more than a year or two, to come to a resolution.
- Please keep the District Attorney's Office informed of your updated address, phone and other contact information (such as email). If you do not keep the District Attorney's Office updated as to your contact information, you will not receive notification of critical stages and will not have the opportunity to consult with the District Attorney about the resolution of the case.
- If a criminal protection order has been issued against the Defendant in this case, you may obtain a copy of this protection order from the court and/or the district attorney's office. Keep a copy of the protection order with you and report all violations of the protection order to your local law enforcement agency. Call 911 in the event of any emergency.

Please note that if your case number has a 'TM' or 'TC' in it that indicates a temporary number and the number will be changed by the court to the assigned docket number.

We will send you a notice whenever a critical stage is scheduled in the case. Due to the large case load of the court system, some hearings may need to be changed or canceled. We will attempt to notify you of changes or cancellations, if we are informed of them in advance.

IT IS YOUR RESPONSIBILITY TO KEEP THE DISTRICT ATTORNEY'S OFFICE UPDATED OF ANY CHANGE OF ADDRESS AND/OR PHONE NUMBER TO CONTINUE TO BE NOTIFIED OF UPCOMING COURT DATES

Sincerely,

J E Chostner
Tenth Judicial District
Pueblo County District Attorney's Office

701 Court Street, First Floor • Pueblo, CO 81003-3077
Telephone 719.583.6030 • FAX 719.583.6666

Protecting the Rights and Safety of the People



OFFICE OF THE DISTRICT ATTORNEY
TENTH JUDICIAL DISTRICT, COLORADO
J.E. CHOSTNER
District Attorney

November 18, 2024

Kayla M Ball



RE: DA Case #: C0512016M 002352
 Agency Case: 16023049
 Defendant: Austin Lee Ball
 Victim Advocate: Megan Lucero Victim Assistant
 Prosecutor: David Elliott
 Courtroom: 304



Dear Kayla M Ball

This letter is to inform you that the defendant **FAILED TO APPEAR** at the Arraignment scheduled for November 14, 2016 at the 501 N Elizabeth Pueblo, CO 81003 in Courtroom 304. A warrant has been issued by the judge for the defendant's arrest. Once the defendant has been apprehended, another court date will be set. If you have questions, please contact me at the number listed above.

IT IS YOUR RESPONSIBILITY TO KEEP THE DISTRICT ATTORNEY'S OFFICE UPDATED OF ANY CHANGE OF ADDRESS AND/OR PHONE NUMBER TO CONTINUE TO BE NOTIFIED OF UPCOMING COURT DATES.

701 Court Street, First Floor • Pueblo, CO 81003-3077
Telephone 719.583.6030 • FAX 719.583.6666

Protecting the Rights and Safety of the People

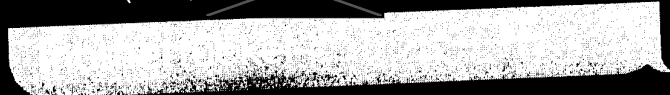
12:49

📶 🔋 43

127



(405)



Go do drugs and get drunk
and get raped. Not going to
hurt our feelings

Bye motherfucker

Good, told the stupid bitch too
already.

And just like the electric it'll
inconvenience us for about an
hour haha

So your not bring 

You are a nobody, you have
nothing, your kids and
everyone who actually knows
you knows your a joke so talk
shit and tell it to a judge. Go
get fucked, drugged up and
drunk like normal and we will
do what we do. Have a great
life, you deserve it 🤔🤔🤔🤔

Is your faggot brother there?

+

12:52



127



(405)

Want me to send you more
pics of me fucking you

Or just add them to your only
fans...

Recording someone while
they're in a public place could
also be conceived as rape

You're the one that likes little
girls not me

The only time you can talk, shit
is to me when a man steps to
you you coward down like a
pussy you are

Go hang out with your child
molester pappy m, smoke
some more crack with your
sisters, and remember who put
their dick I. Your sisters fat ass
all those times 🤔🤔

And who has everything and
who is living on your couch 🤔



ATTACH ADDITIONAL PAGES IF NECESSARY

5. Other Cases. Please list all cases (divorce, protection orders, paternity, guardianship, criminal, juvenile, civil) involving the Defendant and yourself, or a child you have with the Defendant (attach additional sheets of paper if necessary):

Case Name	Case Number	County & State
Kayla [REDACTED]	CO SI 2016 M 002352	Pueblo, CO

6. Type of Order Requested. INSTRUCTION: Check either A or B

A. Petitioner does not request an Emergency Ex Parte Protective Order but does request the following relief, checked below, after notice and hearing, in a Final Order;

OR

B. Petitioner does request an Emergency Ex Parte Order because it is necessary to protect the petitioner(s) from immediate and present danger. Petitioner requests the following relief, checked below, in the Ex Parte Order AND, after notice and hearing, requests the same relief in a Final Order.

RELIEF REQUESTED

INSTRUCTION: Check EACH item which you are requesting from the Court

1. Defendant should be prohibited from attempting or having ANY CONTACT whatsoever with the Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court.

2. Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.

3. Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.

4. Defendant should be ordered to leave and remain away from the residence located at: _____, Oklahoma, on or before the _____ day of _____, 20__ at _____ a.m./p.m., and take no action to change utilities or telephone service.

5. The Court should order Law Enforcement Officers to accompany the Defendant to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises, and the Court should further order Defendant NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.

6. The Court should Order Law Enforcement Officers to accompany the Petitioner (i.e. provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects, and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:
_____, Oklahoma.

7. The Court should Order Defendant, who is a minor, to leave the residence located at _____

_____, (address, city, state) by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to 10A O.S. §2-2-101(A).

Circle Age of Minor Defendant: 13 14 15 16 17

8. There is an existing child visitation order and the Court should suspend or modify child visitation to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody order. 22 O.S. §60.4(l)(1).

9. The Defendant should be ordered to obtain domestic abuse counseling or treatment. 22 O.S. §60.4(C)(1) and (E)(1).

10. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Petitioner.

11. Pursuant to 22 O.S. §60.17, Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device, and costs of the GPS device and monitoring should be paid by Defendant.

12. Pursuant to 22 O.S. §60.4, Petitioner requests that billing responsibility and rights to the following household utilities and/or wireless telephone number (and wireless numbers for minor children) be transferred to petitioner's name. Kayla Bell

Note: A public utility or wireless service provider's normal requirements for setting up a new account still apply. Petitioner will be responsible for paying for the account.

13. Defendant should immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license to _____.

14. The Defendant should be ordered to pay the court costs and service of process fees (pursuant to 22 O.S. §60.2(C)(1), no fees or costs shall be charged to the petitioner except if the Court finds this petition has been filed frivolously).

15. The Defendant should be ordered to pay the Petitioner's attorney's fees in the amount of \$ _____.

PETITIONER REQUESTS THE COURT TO ORDER THE FOLLOWING ADDITIONAL RELIEF:

7. Warnings To Petitioner:

A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. Pursuant to 21 O.S. §§500 and 504, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.

B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff pursuant to 22 O.S. §60.2 (C)(2). It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to 22 O.S. §60.4(H).

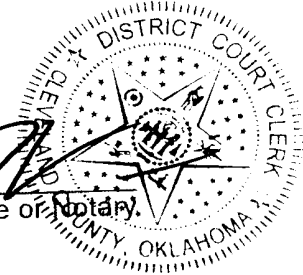
8. Sworn Statement/Affirmation of Truth

I state, under penalty of perjury under the laws of Oklahoma, that I have read the above and foregoing document, understand the meaning thereof, and declare that the facts and statements contained herein are true to the best of my knowledge and belief.

Kayla Ball
PETITIONER

Subscribed and sworn to before me this 18 day of November, 2024

Marilyn Williams
Deputy Court Clerk, Judge or Notary.



Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

Name of Agency or Agencies (use additional pages if necessary)

Petition for Protective Order
Appendix 1

Law Enforcement Complaint (Police Report) Required?	
If you ARE a family or household member or in a dating relationship with Defendant, then Police Report <u>IS NOT</u> required	
If you ARE NOT a family or household member or in a dating relationship with Defendant, then see rows below	
<u>Actions of Defendant:</u> <ul style="list-style-type: none"> • Rape • Forcible Sodomy • Sex Offense • Kidnapping • Assault and Battery with a Deadly Weapon • Child Abuse • First Degree Murder (Petitioner is an Immediate Family Member of the Victim) 	Police Report IS REQUIRED for <u>Final Order</u> of Protection Police Report IS NOT required for <ul style="list-style-type: none"> • Emergency Temporary (weekend) Order • Emergency Ex Parte Order
<ul style="list-style-type: none"> • Stalking • Other Crime Not Listed Above 	Police Report IS REQUIRED

Authority: 22 O.S. §60.2, paragraphs (A)(1) and (G).

(A)(1) . . . If the person seeking relief is not a family or household member or an individual who is or has been in a dating relationship with the defendant, the person seeking relief must file a complaint against the defendant with the proper law enforcement agency before filing a petition for a protective order with the district court. The person seeking relief shall provide a copy of the complaint that was filed with the law enforcement agency at the full hearing if the complaint is not available from the law enforcement agency. Failure to provide a copy of the complaint filed with the law enforcement agency shall constitute a frivolous filing and the court may assess attorney fees and court costs against the plaintiff pursuant to paragraph 2 of subsection C of this section. . . .

(G) A victim of rape, forcible sodomy, a sex offense, kidnapping, assault and battery with a deadly weapon, child abuse, or member of the immediate family of a victim of first-degree murder, may petition, or have a petition filed on the victim's behalf if the victim is a minor, for an emergency temporary order or emergency ex parte order regardless of any relationship or scenario requirements in this section. . . .

Petition for Protective Order
Appendix 2

Selected Definitions – 22 O.S. §60.1

Dating Relationship - Intimate association, primarily characterized by affectionate or sexual involvement. For purposes of [the Protection from Domestic Abuse Act], a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

Domestic Abuse. Any act of physical harm or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who is currently or was previously an intimate partner or family or household member.

Family or Household Members -

- a. Parents, including grandparents, stepparents, adoptive parents and foster parents,
- b. Children, including grandchildren, stepchildren, adopted children and foster children,
- c. Persons otherwise related by blood or marriage living in the same household,
- d. Persons otherwise related by blood or marriage, or
- e. Persons not related by blood or marriage living in the same household.

Harassment - A knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress and must actually cause substantial distress to the person. "Harassment" shall include, but not be limited to, harassing or obscene telephone calls in violation of Section 1172 of Title 21 of the Oklahoma Statutes and fear of death or bodily injury.

Intimate Partner -

- a. Current or former spouses,
- b. Persons who are or were in a dating relationship,
- c. Persons who are the biological parents of the same child, regardless of their marital status or whether they have lived together at any time, and
- d. Persons who currently or formerly lived together in an intimate way, primarily characterized by affectionate or sexual involvement. A sexual relationship may be an indicator that a person is an intimate partner, but is never a necessary condition.

Living in the Same Household -

- a. Persons who regularly reside in the same single-dwelling unit,
- b. Persons who resided in the same single-dwelling unit within the past year, or,
- c. Persons who have individual lease agreements whereby such person has his or her own private bedroom and shares the common areas.

Stalking - The willful, malicious, and repeated following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to:

- a. maintaining a visual or physical proximity to the individual,
- b. approaching or confronting that individual in a public place or on private property,
- c. appearing at the workplace of the individual or contacting the employer or coworkers of the individual,
- d. appearing at the residence of the individual or contacting the neighbors of the individual,
- e. entering onto or remaining on property owned, leased or occupied by the individual,
- f. contacting the individual by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the telephone or electronic device of the individual or the telephone or electronic device of any other person to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues,
- g. photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the individual. This subparagraph applies regardless of where the act occurs,
- h. sending any physical or electronic material or contacting the individual by any means, including any message, comment, or other content posted on any Internet site or web application,
- i. sending to a family member or member of the household of the individual, or any current or former employer of the individual, or any current or former coworker of the individual, or any friend of the individual, any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application, for the purpose of obtaining information about, disseminating information about, or communicating with the individual,
- j. placing an object on, or delivering an object to, property owned, leased or occupied by the individual,
- k. delivering an object to a family member or member of the household of the individual, or an employer, coworker, or friend of the individual, or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the individual, or
- l. causing a person to engage in any of the acts described in subparagraphs a through k of this paragraph.