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2313285

The State of Texas  
v.  
BRYAN PEYTON RODGERS

Cause No. § In the County Criminal Court  
§ at Law No. 11  
§ of Harris County, Texas

**MAGISTRATE'S ORDER FOR EMERGENCY PROTECTION**

On the 15<sup>th</sup> day of June, 2020, a request that this court issue a Magistrate's Order for Emergency Protection against **BRYAN PEYTON RODGERS** hereafter styled the Defendant was presented to the Court. The Court finds that on or about **MAY 31, 2020**, Defendant is alleged to have committed the offense of **VIOLATION OF PROTECTIVE ORDER**.

The Court finds that **SONYA PACE** is/are now designated as the protected individual(s). The Court finds:  
The Defendant is related to the protected individual by consanguinity or affinity, To-wit: The Defendant is the WIFE of the protected individual.

This Court finds that the Defendant and the protected individual are members of the same family or household or were involved in a dating relationship as defined in Chapter 71 of the Texas Family Code. This Court finds that the Defendant has been arrested for an offense involving family violence as defined in Chapter 71 of the Texas Family Code or of an offense under Section 42.072 of the Texas Penal Code.

**ORDERS**

THEREFORE, IT IS HEREBY ORDERED, pursuant to Article 17.292 of the Texas Code of Criminal Procedure that:

the Defendant is prohibited from:

- committing family violence or an assault on the protected individual;
- committing an act in furtherance of an offense under Section 42.072 of the Texas Penal Code involving the protected individual;
- communicating directly with a member of the family or household or with the protected individual in a threatening or harassing manner;
- communicating a threat through any person to a member of the family or household of the protected individual,
- possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision.
- going to or near the residence of a member of the family or household or of the protected individual, specifically, within 200 feet of residence, to-wit: 4923 WINDY ORCHARD LN, HOUSTON, TX 77084, or at any address the protected individual may reside.
- going to or near the place of employment or business of the protected individual, more specifically, within 200 feet of the place of employment, to-wit: . . . , or at any address the protected individual may be employed.
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FINDING GOOD CAUSE HAS BEEN SHOWN, IT IS HEREBY FURTHER ORDERED, pursuant to Article 17.292(c)(2)(C) of the Texas Code of Criminal Procedure that the Defendant is also prohibited from:

- communicating with the protected individual in any manner except through the party's attorney or a person appointed by the court.
- communicating with a member of the family or household of the protected person except through the party's attorney or a person appointed by the court.

If an address above is Confidential, the protected person shall disclose the person's mailing address to the Court and designate another person to receive on behalf of the person any notice or documents filed with the Court related to the Order, and disclose the designated person's mailing address to the Court.

RECORDER'S MEMORANDUM  
This instrument is of poor quality.

Where the descriptions of the protected locations states "Confidential", the Magistrate has determined for the safety of the person or persons protected by the order that specific descriptions of the locations should be omitted.

The District Court of Harris County, Texas shall:

- strike the mailing address of the person protected by the Order from the public records of the Court, if applicable and maintain a Confidential record of the mailing address for use only by:
  - the Court; or
  - a law enforcement agency for purposes of entering the information required by Section 411.042 (b) (6), Government code.

The District Clerk of Harris County, Texas, shall not release the information to the Defendant.

The District Clerk of Harris County, Texas, shall serve a copy of this Order on the Defendant in open court, and,

The District Clerk of Harris County, Texas shall, send a copy of this Order to.

- the protected individual;
- the Sheriff of HARRIS County, Texas
- the Child Care Facility described herein, if any;
- the School described herein, if any.
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The law enforcement agency holding the Defendant shall make a good faith effort to notify the protected individual, within 24 hours from the issuance of the order, that the order has been issued.

WARNINGS

A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE OR A STALKING OFFENSE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS.

THE POSSESSION OF A FIREARM BY A PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A PAID FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO THIS ORDER MAY BE PROSECUTED AS A SEPARATE OFFENSE PUNISHABLE BY CONFINEMENT OR IMPRISONMENT.

NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.

To the extent that a condition imposed by this Order conflicts with an existing court order granting possession of or access to a child the condition imposed under this Order prevails for the duration of this Order.

To the extent that a condition imposed by this Order conflicts with a condition imposed by an order subsequently issued under Chapter 85, Subtitle B, Title 4, Family Code, or under Title 1 or Title 5, Family Code, the condition imposed by the order issued under the Family Code prevails.

To the extent that a condition imposed by this Order conflicts with a condition imposed by an order subsequently issued under Chapter 83, Subtitle B, Title 4, Family Code, the condition imposed by this Order prevails unless the court issuing the order under Chapter 83, Family Code:

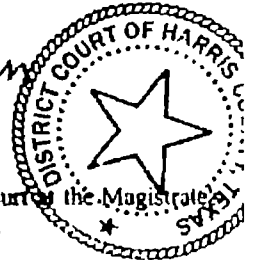
- (1) is informed of the existence of this Order; and
- (2) makes a finding in the order issued under Chapter 83, Family Code, that the court is superseding this Order :

This Order is effective immediately and shall remain in effect until the 61<sup>st</sup> day after the date of issuance or until the 91<sup>st</sup> day after the date of issuance if the offense involves the use of a deadly weapon.

Date of issuance: 6-1-2020

COLIN AMANN  
Harris County Criminal Law  
Hearing Officer  
Harris County, Texas

*Colin Amann*  
Magistrate  
Harris County, Texas



I certify that I have received a copy of this Magistrate's Order for Emergency Protection in open court at the Magistrate's hearing.

*[Signature]*  
(Defendant's Signature)

6-1-2020  
(Date)

Delivered, mailed or electronically transmitted on 6/1/2020

to the protected person(s) and address(es) named in this order, by EV  
(court official).