

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA

Alona Naylor
Petitioner,

v.

Harvette Sears Smith
Respondent,

) DOMESTIC VIOLENCE DIVISION
) FAMILY DIVISION

) Case No. 2024-008942-FC-04

) **ORDER TO APPEAR FOR HEARING**
) **ON A PETITION FOR INJUNCTION**
) **FOR PROTECTION AGAINST**
) **DOMESTIC/REPEAT/DATING/SEXUAL**
) **VIOLENCE OR STALKING**

CIRCUIT & COUNTY COURTS
MIAMI-DADE COUNTY FL
CLERK OF COURTS
00115

2024 MAY 13 PM 7:05

FILED FOR RECORD

TO: PETITIONER

Alona Naylor
3335 NW 13 Avenue, Miami, FL
33142

TO: RESPONDENT

Harvette Sears Smith
Confidential

A Petition for Injunction for Protection has been filed in the above styled case pursuant to:

x

Section 741.30 Florida Statute or
Section 784.046 Florida Statute or
Section 784.0485 Florida Statute

YOU ARE HEREBY ORDERED TO APPEAR for a fifteen-minute hearing on the Petition for Injunction for Protection which will take place on **6/3/2024 at 9:30 AM via zoom: 943 7468 5716** before the **Honorable CHRISTINE BANDIN** of the above styled court.

At the hearing, the court will consider whether an injunction should be entered in this case and if so, whether other things should be ordered, including whether temporary support should be paid, custody and visitation matters if there are minor children, and whether Respondent should attend any counseling programs.

This is the final hearing. All witnesses and evidence must be presented at this time. If the Petitioner does not appear, the case may be dismissed. If the Respondent does not appear, an injunction may be entered and additional relief may be granted. Children are not permitted to testify unless a motion is filed pursuant to Fla. Fam. L.R.P. 12.407, and an order allowing the testimony is granted prior to the hearing.

DOMESTIC VIOLENCE AND STALKING HEARINGS:

Court proceedings concerning domestic violence or stalking are required by law to be recorded. This recording may be by electronic means. No written transcript of the Court's recording will be provided to the parties. Either party may arrange for a court reporter to prepare a written transcript of the hearing at that party's expense.

REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE HEARINGS:

The law does not require court proceedings concerning repeat, dating, or sexual violence to be recorded; however, either party may arrange for a court reporter to record the hearing and prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance.

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

DOMESTIC VIOLENCE DIVISION

CASE NO.: 2024-008942-FC-04

Alona Naylor,

Petitioner,

v.

Harvette Sears Smith,

Respondent.

NOTICE OF ZOOM HEARING

**IF YOU HAVE ANY QUESTIONS ABOUT THE INSTRUCTIONS BELOW PLEASE CALL THE
JUDICIAL ASSISTANT AT (305) 349-5701.**

- 1) **BOTH** parties (Petitioner and Respondent) **MUST** appear remotely and testify at a hearing regarding this matter on

6/3/2024 at 9:30 AM

- 2) The hearing will be before the **JUDGE CHRISTINE BANDIN** and will be held **REMOTELY** *utilizing the video conferencing application ZOOM. You are **required** to attend remotely using the ZOOM video conferencing application.*
- 3) On the above date and time, you are required to enter the ZOOM Meeting ID provided below at www.zoom.us (Click Join a Meeting and enter Meeting ID). You may also join through the ZOOM application after downloading it on your device and entering the Meeting ID.

ZOOM MEETING ID: 943 7468 5716

- 4) **In order to make your experience easier**, you should create a **free** account and download the ZOOM application (www.zoom.us) onto your cell phone and/or computer. Your cellphone camera or the camera on your computer is **required** to participate in the hearing. You will also need Internet connection to participate in the hearing. Please watch these videos that explain how to use ZOOM:
- For English: <https://youtu.be/jCX0plut8qM> (Android phone)
 - For Spanish: <https://youtu.be/pTuGFRMRnYk> (Android phone)
 - For English: <https://youtu.be/2bLIVzPJTdQ> (Apple iPad)

- d. For Spanish: <https://youtu.be/l-HnwcWVATw> (Apple iPad)
 - e. For English: <https://youtu.be/O-yqjijiDlo> (Apple iPhone)
 - f. For Spanish: <https://youtu.be/oW3cesqg6qA> (Apple iPhone)
-
- 5) At the date and time listed above, the court will consider whether the court should issue a Final Judgment of Injunction for Protection Against Domestic Violence, which would remain in effect until modified or dissolved by the court.
 - 6) If Petitioner and/or Respondent do not appear using the Zoom video conferencing application, this temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted.
 - 7) **BEFORE** contacting the judicial assistant by phone, you may send any evidence you intend to present in court via email to DV56@jud11.flcourts.org. Please include your case number on the subject line of this email.
 - 8) If you have any essential witnesses that have *direct personal knowledge of the allegations in the petition*, it is your responsibility to provide your witness(es) with the ZOOM information so they can attend. The court will make a determination regarding the necessity of any witness' testimony at the time of the hearing.
 - 9) Children are not permitted to testify unless a motion is filed pursuant to Fla.Fam.L.R.P.12.407, and an order allowing the testimony is granted prior to the hearing.
 - 10) Any pretrial motions must be filed with the Domestic Violence clerk of courts, via email at dvmotions@jud11.flcourts.org, or via fax at (305)349-5559.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida on this 13th day of May, 2024.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER.

Pursuant to chapter 61, Florida Statutes, and the Florida Family Law Rules of Procedure, each party is ordered to bring his/her Financial Affidavit, tax return, pay stubs, or other evidence of financial income to the above scheduled hearing in all cases where support issues have been alleged in the pleadings.

EITHER PARTY'S FAILURE TO APPEAR MAY RESULT IN SANCTIONS AGAINST THE NON-APPEARING PARTY.

DONE and ORDERED at Dade County, Florida on this the 13th day of May, 2024.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
JUDICIAL CIRCUIT IN AND FOR THE COUNTY OF MIAMI-DADE
05/21/2024
Circuit Judge ALICIA GARCIA PRIOVOLOS
Deputy Clerk

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2400, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355, Email: ADA@jud11.flcourts.org at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

COPIES TO: (Check those that apply)

Petitioner: by U. S. Mail
 by hand delivery in open court
Respondent: forwarded to sheriff for service
 by U. S. Mail
 by hand delivery in open court
 by certified mail (may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of a certified copy of this injunction.)

Sheriff of Miami-Dade County
 State Attorney's Office
 Warrants Bureau
 Central Governmental Depository (if ordered)
 Department of Revenue
 Other: _____

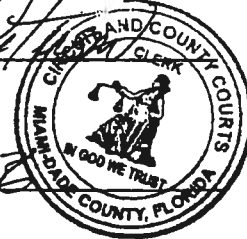
Petitioner's Attorney: by U.S. Mail
 by hand delivery
Respondent's Attorney: by U.S. Mail
 by hand delivery

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

ID # _____



As of: **May 13, 2024**

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA

Alona Naylor
Petitioner,

V.

Harvette Sears Smith
Respondent,

DOMESTIC VIOLENCE DIVISION
 FAMILY DIVISION

Case No.: 2024-008942-FC-04

ORDER DENYING PETITION FOR
TEMPORARY INJUNCTION

FILED FOR RECORD
2024 MAY 13 PM 7:05
CIRCUIT & COUNTY COURTS
MIAMI-DADE COUNTY FL
CLERK OF COURT
201 #5

TO: PETITIONER

TO: RESPONDENT

Alona Naylor
3335 NW 13 Avenue, Miami, FL
33142

Harvette Sears Smith
Confidential

THIS CASE was heard ex parte on the Petition for Injunction for Protection Against Domestic Violence pursuant to 741.30 Florida Statutes, Repeat / Dating / Sexual Violence pursuant to 784.046 Florida Statutes or Stalking pursuant to 784.0485 Florida Statutes, and the court, based on the allegations presented in the petition, finds as follows:

The allegations in the Petition for Injunction for Protection do not meet the statutory criteria set forth in 741.30 Florida Statutes or Repeat / Dating / Sexual Violence pursuant to 784.046 Florida Statutes or Stalking pursuant to 784.0485 Florida Statutes.


There is no appearance of an immediate and present danger of domestic violence as required pursuant to 741.30 Florida Statutes, and a hearing will be set on the Petition for Injunction for Protection.

Other: Please see attached notice of hearing.

It is therefore ORDERED and ADJUDGED that said petition be, and the same is hereby DENIED, without prejudice.

DONE and ORDERED at Miami-Dade County, Florida on this the 13th day of May, 2024

STATE OF
FLORIDA


Circuit Judge ALICIA GARCIA PRIVOLO


Deputy Clerk

COPIES TO: (Check those that apply)

- Petitioner: by U. S. Mail
 by hand delivery in open court
- Respondent: forwarded to sheriff for service
 by U. S. Mail
 by hand delivery in open court
 by certified mail (may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of a certified copy of this injunction.)

- Sheriff of Miami-Dade County
 State Attorney's Office
 Warrants Bureau
 Central Governmental Depository (if ordered)
 Department of Revenue
 Other: _____

- Petitioner's Attorney: by U.S. Mail
 by hand delivery
- Respondent's Attorney: by U.S. Mail
 by hand delivery

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

By: *[Signature]*
Deputy Clerk

ID # *[Signature]*



As of: May 13, 2024

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA

Alona Naylor
Petitioner,

v.

Harvette Sears Smith
Respondent,

) DOMESTIC VIOLENCE DIVISION
) FAMILY DIVISION
)
)
)

Case No.: **2024-008942-FC-04**

**PETITION FOR INJUNCTION
FOR PROTECTION AGAINST
STALKING VIOLENCE**

CLERK & CLERK COURTS
MIAMI-DADE COUNTY FL
CASE NO. 2024-008942-FC-04

2024 MAY 13 PM 6:22

FILED FOR RECORD

BEFORE ME, the undersigned authority, personally appeared the Petitioner **Alona Naylor**, who has been sworn and who states:

1. Petitioner resides at: **3335 NW 13 Avenue, Miami, FL 33142**
2. Respondent resides at: **CONFIDENTIAL**
3. **Filing fees:** Pursuant to section 784.046(3)(b) Florida Statutes, no filing fees may be assessed.
4. The name and address of Respondent's last known place of employment or school is:
Suspended Police Chief/North Miami Beach Police Dept.
5. Petitioner is employed or attends school at:
N/A

(DO NOT ENTER IF PLACE OF EMPLOYMENT OR SCHOOL TO BE KEPT CONFIDENTIAL, FOR SAFETY.)

6. Physical description of Respondent:

Date of birth	<u>Unknown</u>	Age	_____
Race	<u>Black</u>	Sex	<u>Female</u>
Height	<u>5 Ft. 4 In.</u>	Weight	<u>210 Lbs.</u>
Hair Color	<u>Black</u>	Eye Color	<u>Brown</u>

Distinguishing marks or scars: **n/a**

Aliases (other names) Respondent uses or has used: **MACHELL CURRY**

Nickname(s): **N/A**

7. Respondent's vehicle year, make, model, color and TAG: **N/A**

Is Respondent in jail? **No**

8.

Date of Arrest: _____

Jail #: _____

Cell #: _____

9. Respondent's attorney's name, address, and telephone number:

10. The following describes any other court cases, including family, civil, criminal, dependency or delinquency (juvenile), where the Petitioner and Respondent are involved (include case numbers):

2021-026717-CA-01; Related case filed in 12/10/2021 Case pending.

11. Has the Petitioner ever gotten or tried to get an Injunction for Protection against the Respondent in this or any other court? Yes No

If YES, list case number(s) and what happened in that/those case(s):

2023017818FC04; filed on 9/5/2023. Denied with Hearing, - NJC 9/20/2023.

12. Has the Respondent ever gotten or tried to get an Injunction for Protection against Petitioner in this or any other court? Yes No

If YES, list case number(s) and what happened in that/those case(s):

13. Petitioner is a victim of stalking because Respondent has: {mark all sections that apply}

- a. Committed stalking;
- b. Previously threatened, harassed, stalked, cyberstalked, or physically abused the Petitioner;
- c. Threatened to harm the petitioner or family members or individuals closely associated with the petitioner.
- d. **N/A** Intentionally injured or killed a family pet;
- e. **N/A** Used, or has threatened to use, against Petitioner any weapons such as guns or knives;
- f. **N/A** A criminal history involving violence or the threat of violence, if known; enforcement.

g. **N/A** Another order of protection issued against him or her previously from another jurisdiction, if known;

h. **N/A** Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to Petitioner.

14. Below is a description of the specific incidents of stalking or cyberstalking:

The petitioner, who is not employed, states the respondent, who is a suspended police chief, is her cousin whom she has known since July 5, 1990 but has not lived with as a family.

The petitioner states she and the respondent's mother are in a quiet title action.

Today, May 13, 2024, there was an evidentiary hearing for the lawsuit. After the hearing ended, the petitioner and the respondent entered the same elevator; where the respondent told the petitioner; "If she did not get her job back; "She was going to kill the petitioner"!

Horrified, the petitioner reported the respondent's death threat to the police who filed report # 24051300 33091.

Also, the petitioner states on December 7, 2023, the respondent was suspended from her position as a police chief due to allegations of fraud in the police department.

Florida Department of Law Enforcement conducted the suspension of the respondent after gathering information provided by the petitioner's attorney.

Additionally, the petitioner states the respondent has harassed her thru numerous private phone calls with death threats and comparisons to an undesirable social media character known as "Karen!"

Furthermore, the petitioner states on April 24, 2024, the respondent sat outside her home in a car for three hours; which was witnessed by the petitioner's relative who resides in the same home as the petitioner.

Due to the respondent's bold threat to end her life, placing death threats from private numbers and monitoring her home, the petitioner fears for her life, fears for her safety and well-being and requests this

**court's intervention to restrain the respondent from all contact.
(coc/jcc/dp)**



15. Petitioner alleges the following additional information:

- a. that the Respondent personally owns, possesses, and / or is known to possess a firearm: Yes No Unknown

If YES, what type: _____

- b. It is currently required for the Respondent to carry/use a firearm in the capacity of his/her job: Yes No Unknown

- c. that the Respondent has a drug problem: Yes No Unknown

If YES, what type: _____

- d. that the Respondent has an alcohol problem: Yes No Unknown

- e. That the Respondent has a history of clinically diagnosed mental health problems: Yes No Unknown

If YES, what type: _____

- f. Petitioner has known Respondent since (date): July 5, 1990

- g. Respondent served in the U.S. military: Yes No Unknown

16. WHEREFORE, the Petitioner asks the Court to give an injunction (mark the appropriate section[s]):

The Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against stalking that will be in place from now until the scheduled hearing in this matter, which will immediately restrain Respondent from committing any acts of stalking, and which will provide any terms the Court deems necessary for the protection of a victim of stalking, including any injunctions or directives to law enforcement agencies.

Petitioner asks the Court to enter, after a hearing has been held on this petition, a FINAL JUDGMENT for protection against stalking prohibiting Respondent from committing any acts of stalking against Petitioner and:

NOTE: The Court may consider the following "Ex parte" (without notice and hearing). This relief may be awarded for up to 15 days.

- a. Prohibiting the Respondent from going to or within 500 feet of any place Petitioner lives at

<Confidential>

or to any specified place frequented regularly by Petitioner and any named family members or individuals closely associated with Petitioner;

(IDENTIFY ALL PLACES BY NAME, ADDRESS, AND RELATIONSHIP OF PERSON(S) ON PREMISES TO PETITIONER, IF APPLICABLE.)

- b. Keeping the Respondent away from the current place of employment or school of the Petitioner located at:

Unknown

or any future place of employment or school of Petitioner in the State of Florida.


- c. Prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through social media, through another person, or in any other manner;
- d. Ordering Respondent that he or she shall not have in his or her care, custody, possession or control any firearm;
- e. Prohibiting Respondent from knowingly and intentionally going within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied.
- f. Ordering such other relief as the Court decides is needed to protect a victim of stalking, including injunctions or directives to law enforcement agencies.

NOTE: The Court may consider the following only with notice and hearing to the Respondent. These things may be ordered by the Court and remain in effect until modified or dissolved by the judge at either party's request, after further notice and hearing.

- g. Continuing the relief requested in a - f above, until modified or dissolved by the court.
- h. Ordering Respondent to go to a batterers' intervention program and/or other Treatment.
- i. Other: _____

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

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND I DECLARE THAT 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 837.011 FLORIDA STATUTES, AND IF I HAVE MADE A KNOWINGLY FALSE STATEMENT, I MAY BE PROSECUTED.

+ 

(Initials)

05/13/2024
Date

+ 

Signature of Petitioner

Name: Alona Naylor

Address:

Telephone No. _____

(DO NOT ENTER IF ADDRESS AND PHONE TO BE KEPT CONFIDENTIAL, FOR SAFETY.)

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2024-008942-FC-04

Alona Naylor,
PETITIONER,

v.

Harvette Sears Smith,
RESPONDENT,

FILED FOR RECORD
2024 MAY 13 PM 6:23
CIRCUIT & COUNTY COURTS
MIAMI-DADE COUNTY FL
CALENDAR REFERENCE: 01/25

NOTICE OF CASES JUDICIALLY NOTICED

Pursuant to Section 90.204, Florida Statutes, the following related case information has been considered during review of the Petition for Injunction Against Domestic Violence or Domestic Violence with Children (Section 741.30, F.S.); Repeat Violence, Dating Violence, or Sexual Violence (Section 784.046, F.S.); or Stalking (Section 784.0485):

Related Case Number(s): **2023-017818-FC-04; 2021026707CA01**

State Case Number: **132024DR008942A00104**

This Notice shall be served upon the parties at the time the Temporary Injunction or Order to Appear for Hearing is served.

Entered: **May 13, 2024.**

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA

2024 MAY 13 PM 6:23

FILED FOR RECORD

CIRCUIT COURT
MIAMI-DADE COUNTY FL
CLERK OF COURT

Alona Naylor
Petitioner,

V.

Harvette Sears Smith
Respondent,

) DOMESTIC VIOLENCE DIVISION
) FAMILY DIVISION
)
)
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)

Case No.: 2024-008942-FC-04

NOTICE OF RELATED CASES

Petitioner submits this Notice of Related Cases as required by Florida Rule of Judicial Administration 2.545(d). A related case may be open or closed civil, criminal, domestic violence, juvenile delinquency, juvenile dependency, guardianship or domestic relations case. A case is "related" to this domestic/repeat/dating/sexual violence or stalking case if it involves any other same parties, children, or issues and it is pending at the time the party files a domestic/repeat/dating/sexual violence or stalking case; if it affects the Court's jurisdiction to proceed; if an order in the related case may conflict with an order on the same issued in the new case; or if an order in the new case may conflict with an order in the earlier litigation.

[CHECK ONE ONLY]

- There are NO related cases.
 The following are the related cases (add additional pages if necessary):

RELATED CASE NO. 1

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case Num: 2023-17818 fc 04 Division: _____

Type of Proceeding [Check all that apply]:

- Dissolution of Marriage Paternity Child Support Juvenile Dependency/Delinquency
 Criminal Guardianship Domestic/Repeat/Sexual/Dating Injunction
 Other (specify) _____

RELATED CASE NO.

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case Num: 2021026707CA01 Division: _____

Type of Proceeding [Check all that apply]:

- Dissolution of Marriage Paternity Child Support Juvenile Dependency/Delinquency
 Criminal Guardianship Domestic/Repeat/Sexual/Dating Injunction
 Other (specify) _____

RELATED CASE NO. 1

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case Num: _____ Division: _____

Type of Proceeding [Check all that apply]:

- Dissolution of Marriage Paternity Child Support Juvenile Dependency/Delinquency
 Criminal Guardianship Domestic/Repeat/Sexual/Dating Injunction
 Other (specify) _____

RELATED CASE NO. 1

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case Num: _____ Division: _____

Type of Proceeding [Check all that apply]:

- Dissolution of Marriage Paternity Child Support Juvenile Dependency/Delinquency
 Criminal Guardianship Domestic/Repeat/Sexual/Dating Injunction
 Other (specify) _____

RELATED CASE NO. 1

Case Name(s): _____
Petitioner: _____
Respondent: _____
Case Num: _____ Division: _____

Type of Proceeding [Check all that apply]:

- Dissolution of Marriage Paternity Child Support Juvenile Dependency/Delinquency
 Criminal Guardianship Domestic/Repeat/Sexual/Dating Injunction
 Other (specify) _____

The Petitioner acknowledges a continuing duty to inform the Court of any cases in this or any other state that could affect the current proceeding.

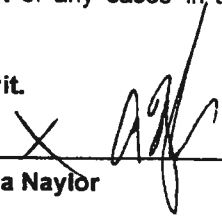
I attest to the truthfulness of the claims made in this affidavit.

Dated: **May 13, 2024**

Signature of Party: _____

Printed Name:

Alona Naylor

A handwritten signature in black ink, appearing to read 'Alona Naylor', is written over a horizontal line. The signature is stylized and cursive.

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA

CLERK OF COUNTY COURTS
MIAMI-DADE COUNTY FL
2024 MAY 13 PM 6:23

FILED FOR RECORD

Alona Naylor
Petitioner,

v.

Harvette Sears Smith
Respondent,

) DOMESTIC VIOLENCE DIVISION

) Case No.: 2024-008942-FC-04

) PETITIONER'S MOTION FOR HEARING
) ON PETITION FOR INJUNCTION FOR
) PROTECTION

I, **Alona Naylor**, the Petitioner in the above reference case, hereby respectfully request a hearing on my Petition for Injunction for Protection Against Domestic/Repeat/Dating/Sexual Violence be set on the soonest available date. I understand that a hearing will take place after the Respondent receives notice and a copy of the Petition for Temporary Injunction I have filed.



COPIES TO: (Check those that apply)

- Petitioner: by U. S. Mail
 by hand delivery in open court (Petitioner must acknowledge receipt in writing on the face of the original order- see below.)
- Respondent: forwarded to sheriff for service
 by hand delivery in open court (Respondent must acknowledge receipt in writing on the face of the original order- see below.)
 by certified mail (may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of a certified copy of this injunction.)

- Sheriff of Miami-Dade County
 State Attorney's Office
 Warrants Bureau
 Central Governmental Depository (if ordered)
 Department of Revenue
 Other: _____

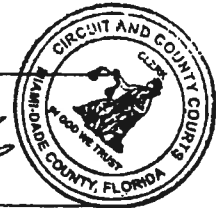
- Petitioner's Attorney: by U.S. Mail
 by hand delivery
- Respondent's Attorney: by U.S. Mail
 by hand delivery

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

ID # _____



As of: May 13, 2024

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR DADE COUNTY, FLORIDA

DOMESTIC VIOLENCE DIVISION

CASE NUMBER: 2024-008942-FC-04

CIVIL COVER SHEET

Alona Naylor
Petitioner

Harvette Sears Smith
Respondent

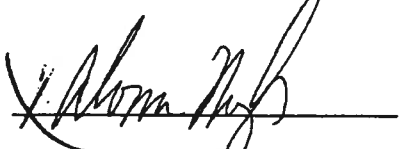
The civil cover sheet and the information contained here does not replace the filing and service of pleadings or other papers as required by law. This form is required by the Clerk of Court for the purpose of reporting judicial workload data.

TYPE OF CASE:

DOMESTIC VIOLENCE
REPEAT VIOLENCE
DATING VIOLENCE
SEXUAL VIOLENCE
X STALKING

FILED FOR RECORD
2024 MAY 13 PM 6:22
CIRCUIT & COUNTY COURTS
MIAMI DADE COUNTY FL
CLERK OF COURT ERIC T. JONES

SIGNATURE OF ATTORNEY/PETITIONER INITIATING ACTION



PARTY AND ATTORNEY INFORMATION:

Petitioner's Address:
Confidential

Respondent's Address:
2983 SW 131st Avenue
Miramar, FL 33027

Attorney for Petitioner Name: Address:

Attorney for Respondent Name: Address:

Guardian Ad Litem Name: Address:

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Alona Naylor
Petitioner,

DOMESTIC VIOLENCE DIVISION

Case No.: 2024-008942-FC-04

vs.

Harvette Sears Smith
Respondent.

NOTICE OF FILING EMAIL ADDRESS

CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY FLORIDA
CLERK OF COURT
2024 MAY 13 PM 6:29

2024 MAY 13 PM 6:29

FILED FOR RECORD

Please be advised that Court hearings that can be held via video conference will be held on Zoom. Accordingly, you may receive emails from the Court which include information on how to connect to hearings. Please provide the information below.

Petitioner's email address:

*Alona.Naylor@gmail.com

Respondent's email address (if known):

MDPD CIVIL PROCESS BUREAU
RESPONDENT'S DESCRIPTION SHEET – DOMESTIC VIOLENCE

Case Number: **2024-008942-FC-04** Petitioner's Name: **Alona Naylor**

Respondent's Name: **Harvette Sears Smith**

Nickname(s): **Machell Curry**

Home Address: **2983 SW 131st Avenue
Miramar, FL 33027**

County: **Broward**

Name of Complex: _____

Home Phone: **Home: 786-299-1392**

Best Time to Serve: _____ **AM/PM**

Other Address: _____

County: _____

Name of Complex: _____

Other Phone: _____

Best Time to Serve: _____ **AM/PM**

Name of Employer/Business **North Miami Beach Police Department**
Address **16901 NE 19th Avenue
North Miami beach, FL 33162**

County _____

Name of Building _____

Respondent's Work Phone: _____

Days Off from Work _____

Best Time to Serve: _____ **AM/PM**

RESPONDENT'S PHYSICAL DESCRIPTION

Sex	Female	Age	Unknown
Race	Black	DOB	Unknown
Weight	210 Lbs.	Height	5 Ft. 4 In.
Hair	Black	Eye Color	Brown

Scars/Tattoos/Mustache/Gold tooth/etc.: **N/A**

Weapons **N/A** Job Related Weapon: **Yes; unknown**
Describe: _____

VEHICLE (Car/Truck) INFORMATION

Make: **N/A** Model: _____ Year: _____
Color: _____ Tag: _____

JAIL INFORMATION (Current)

In Jail? **No** Date Arrested: _____ Facility: _____
If known: Jail # _____ Cell # _____

*** DO NOT COMPLETE IF CONFIDENTIAL ***

Phone Number for Petitioner: (Home) _____ (Work): _____
Alternate Contact Number: _____
Contact Person: _____ Relation: _____

CLEARING HOUSE
MIAMI-DADE COUNTY FL
CALL CENTER #301 #5

2024 MAY 13 PM 6: 23

FILED FOR RECORD

The Miami-Dade Police Department Civil Process Section is responsible for routine service of Domestic, Repeat, Dating and Sexual Violence Injunctions, and will make a reasonable attempt to accomplish service. You must assist the Civil Process Section by printing all you know about the respondent on the Description Sheet. Although you may write "unknown" if necessary, you should understand that incomplete information will possibly result in service delays.

x *adg*

Initials

You will be given two (2) copies of the injunction. One is for you and one is for emergency service. Keep the package for emergency field service with you all times. If the respondent comes to your location, no matter where you are in Florida, you should immediately call 911 and inform the police that the respondent is there and you have an injunction. If the respondent has been served, tell the police when they arrive. If the respondent has not been served, ask the police to serve him/her with your emergency service copy.

LAG

Initials

Your Temporary Injunction is active for fifteen (15) days. The Court Service Bureau of the Miami-Dade Police Department offers the following website for petitioners and/or respondents to check the status of service. http://www.miamidade.gov/mdpd/cs_writs.asp. If additional assistance is needed the Court Service Bureau may also be reached at (305) 375-5100. The Civil Process Section is open Monday through Friday, from 8:00 a.m. to 5:00 p.m. If the respondent in your case resides outside of Miami-Dade County, you need to call the Sheriff's Office in the county where the respondent resides to check on service.

LAG

Initials

NOTE: It is in your best interests not to tell the respondent that you have filed for an injunction, because the injunction cannot be enforced until the respondent has been served by a police officer or deputy sheriff (all Miami-Dade police officers are deputy sheriffs). He/she may otherwise avoid service.

LAG

Initials

YOU SHOULD UNDERSTAND THAT FURTHER ACTS OF VIOLENCE MAY RESULT WHEN AN INJUNCTION IS SERVED, SO YOU SHOULD MAKE APPROPRIATE ARRANGEMENTS FOR YOUR PERSONAL SAFETY. IF AT ANY TIME THE RESPONDENT ATTEMPTS TO HARM OR ABUSE YOU, CONTACT YOUR LOCAL POLICE DEPARTMENT IMMEDIATELY OR CALL 911. IF AN INJUNCTION IS ACTIVE AND HAS NOT BEEN SERVED, IT CAN BE SERVED AT THAT TIME. ANY CRIMINAL CHARGES THAT MAY BE APPROPRIATE MAY ALSO BE ENFORCED.

Adam Nych

I have read and understand each instructional paragraph. My initials after each paragraph indicate I fully understand.

NOTE: Sheriff Officers can contact the Domestic Violence Intake Unit at (305) 349-5888 between the hours of 8:00 A.M. – 5:00 P.M. for additional information.

WHAT IS AN INJUNCTION?

You have the right to file a petition to ask the court to issue an order called an injunction against a particular person, who has been physically violent with you and/or has placed you in fear of physical violence. The purpose is to legally prevent him or her from having contact with you by ordering him or her to stay away from your home, your car, your place of employment, and other places the court finds necessary. He or she is also forbidden to contact you by phone, in writing, by email, or in person. Injunctions can include other relief that the court feels is appropriate. If you are under 18 years old, ask the court clerk about an adult filing on your behalf.

WHICH ONE DO I CHOOSE?

There are four kinds of civil injunctions: domestic violence, sexual violence, dating violence, and repeat violence. There are different requirements for each type of injunction. The type of petition that you file depends on your relationship with the other person and what has occurred.

Domestic Violence

Do you now or have you in the past lived with the other person as if a "family"?

"Family" includes people who you are related to by blood or marriage (spouses, ex-spouses, parents, grandparents, aunts, uncles), parties intimately involved and living together, but never married, adopted children, step-parents and step-children, and others.

OR

Do you and the other person have a child together?

If you answered "YES" to either of these domestic violence questions, then you may wish to file a petition for an injunction for protection against domestic violence.

Sexual Violence

Sexual violence injunctions can be filed :

1) If your answers to the domestic violence questions are "NO",

AND

2) If the other person committed one of the following acts: sexual battery defined by Chapter 794, lewd and lascivious act upon or in the presence of a child younger than 16, lured or enticed a child as described in chapter 787, required a child to sexually perform as in Chapter 827, or committed any forcible felony wherein a sexual act was committed or attempted (Ask the deputy clerk for definitions of these acts if you do not know what they are to decide if they apply to your situation.),

AND

3) If you have reported the sexual violence to law enforcement and are cooperating with any criminal proceeding, then you may file for this kind of injunction.

OR

You can also file a sexual violence injunction if the other person has been in prison for sexual violence against you, and the term of imprisonment expires within ninety days.

Dating Violence

Have you and the other person dated each other in the last six months?

AND

Did you have an expectation of affection or sexual involvement with the other person?

AND

Did you interact with the other person on a frequent and continuous basis during the relationship?

If you answered "YES" to ALL of these questions about dating, and the other person has been violent toward you, then you can file a petition for an injunction for protection against dating violence.

Repeat Violence

If your answers to the questions about the other kinds of injunctions for domestic, sexual, and dating violence petitions are "NO", then you can file a petition for an injunction against repeat violence. This petition could be used for neighbors, coworkers, students, relatives who have never lived together, etc. But, for this type of injunction, there must have been **two incidents** of physical violence, threats of violence, or stalking, and one of these must have occurred in the last six months.

WHAT DO I DO WITH THE PACKET?

If you can afford an attorney or if legal aid is available, it is always best to get legal assistance. If you cannot get an attorney, you can contact a victim advocacy agency to help you fill out the forms. A list of domestic violence centers in your area is available in the clerk's office or at www.foadv.org. Otherwise, you can file these papers on your own.

Read the instructions carefully and complete each section of the forms with all of the information that you can provide. Try to write neatly or type the petition, so that the judge can read it.

It is important to include dates and locations of all violent incidents or threats of violence.

Include all information that you have about other court cases with you and the other party, children, finances, and places that the other person may be located to be served with copies.

After you complete the forms, submit them to the clerk's office. You will sign under oath that all information you provided is true and correct.

The other person will get a copy of everything that you write in the petition and all of the court papers. You should contact a victim advocate and have a safety plan.