

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY
STATE OF GEORGIA

Linda Ellis
Petitioner

V.

Matthew Chan,
Respondent

CASE NO.: SU-13-DM-409

FILED IN OFFICE
2013 MAR -6 AM 8:40
H. LINDA PIERCE
MUSCOGEE COUNTY
SUPERIOR COURT

JUDGE FRANK J. JORDAN, JR.

STALKING PERMANENT PROTECTIVE ORDER

A hearing was held on this matter on February 28, 2013 at which the Respondent appeared and was provided with the opportunity to be heard and the Petitioner requested, pursuant to O.C.G.A. §§ 16-5-94 (e) and 19-13-4 (c), that a permanent Protective Order be issued. Having heard the evidence presented, reviewed the petition and the record concerning this case and for good cause shown, IT IS HEREBY ORDERED AND ADJUGED:

1.

The Respondent has knowingly and willfully violated O.C.G.A. §§ 16-5-90 et seq. and placed the Petitioner in reasonable fear for the Petitioner's safety, because Respondent contacted the Petitioner (and urged others to contact Petitioner) and posted personal information of the Petitioner for the purpose of harassing and intimidating Petitioner.¹ As the owner and operator of the site, Respondent has the ability to remove posts in his capacity as the moderator. However, Respondent chose not to remove posts that were personally directed at Ms. Ellis and would cause a reasonable person to fear for her safety. Because the Respondent's course of conduct was directed at Ms. Ellis through the posted messages and information relating to Ms. Ellis, and the conduct was intended

¹ Respondent is the owner and operator of the website ExtortionLetterInfo.com ("site") which was used to stalk Ms. Ellis by harassing and intimidating her and encouraging other visitors of the site to do so as well.

(and in fact did) create fear and intimidation in the Petitioner, Respondent is hereby ORDERED to remove all posts relating to Ms. Ellis. Respondent is hereby enjoined and restrained from doing or attempting to do, or threatening to do any act constituting a violation of O.C.G.A. §§ 16-5-90 et seq. and of harassing, interfering, or intimidating the Petitioner or Petitioner's immediate family. Any future acts committed by the Respondent towards the Petitioner which are in violation of this statute and this Protective Order can amount to AGGRAVATED STALKING, pursuant to O.C.G.A. § 16-5-91, which is a felony. A person convicted of Aggravated Stalking shall be punished by imprisonment for not less than one nor more than ten years and by a fine of not more than \$10,000.00.

2.

Respondent is permanently enjoined and restrained from approaching within 1000 yards of Petitioner and Petitioner's immediate family, and residence, place of employment, or school or subsequent residence, place of employment or school.

3.

Respondent is not to have any contact of any type, direct, indirect, or through another person with the Petitioner, her immediate family, including but not limited to: telephone, fax, email, voicemail, mail, texting, spoofing, Facebook and other forms of social media, or any other type of contact.

4.

That this order be filed in the office of the Clerk of this Court.

5.

This Order shall remain in effect permanently and shall not terminate unless modified by the Court.

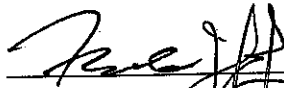
6.

That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. §§ 16-5-94(e) and 19-13-4(d). Law enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.

7.

That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Respondent received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

So ORDERED this 4th day of March, 2013 *nunc pro tunc* to February 28, 2013.



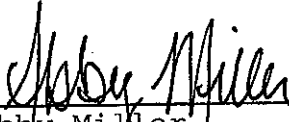
HONORABLE FRANK J. JORDAN JR.
SUPERIOR COURT OF MUSCOGEE COUNTY
CHATTAHOOCHEE JUDICIAL CIRCUIT

CERTIFICATE OF SERVICE

I, Abby Miller, Law Clerk to Judge Frank J. Jordan, Jr., hereby certify that on or around the date of the attached order's signature, I promptly mailed, emailed, faxed, or interoffice delivered a copy of the foregoing ORDER to the individuals listed below with the following contact information:

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