

State of Minnesota

District Court

County of Dakota

Judicial District:

First

Court File Number:

ADCU 09-3394

Case Type:

Harassment

Petitioner's Affidavit and Petition for Harassment Restraining Order (Minn. Stat. §609.748)

Petitioner(s)

Your Name and Address

Randy Martin
19655 Ireland Place
Lakewille, MN 55044

Date(s) of Birth: 10/1/1962

Respondent(s)

Name(s) and addresses of persons harassing you and/or your child (ren):

David Rucki
19675 Ireland Place
Lakewille, MN 55044

Date(s) of Birth: 2-3-1963 (if known)

vs.

STATE OF MINNESOTA

)

ss.

COUNTY OF Dakota

(County where Affidavit signed)

FILED DAKOTA COUNTY CAROLYN M. BERRY, Court Administrator

SEP 08 2009

BY [Signature] DEPUTY

I understand that I am under oath/affirmation and that I must tell the truth and I state that:

1. I am (we are) the Petitioner(s) in this action. (I am) (My minor child (ren) is) (My minor ward(s) for whom I am the legal guardian is) the victim of harassment described in this petition.

Our/My relationship to the respondent(s) is/are: neighbors

2. The following court cases involve the respondent and myself in issues regarding child custody or parenting time issues:

Table with 2 columns: Court File Number, Court Jurisdiction

3. The following are specific acts of harassment committed by Respondent(s). (Check the boxes that apply and describe. Provide as many details as possible.)

Respondent physically or sexually assaulted the Petitioner as follows:

Respondent has followed, pursued or stalked the Petitioner as follows: _____

Respondent(s) made uninvited visits to the Petitioner(s) as follows: at the base of our driveway and mailbox. ~~last he did so outside a neighbor's driveway. Mon (9/8/09) morning~~

Respondent(s) made harassing phone calls to the Petitioner(s) as follows: _____

Respondent(s) made threats to the Petitioner(s) as follows: He said he would "unleash holy hell if we ever turned him again." He also did a threat later in the street. He's mad we called animal control over his dogs. He hates our dograte in our home. (9/8/09) morning.

Respondent(s) frightened Petitioner(s) with threatening behavior as follows: He was loud and cursing calling my wife a "bitch" and my son a "son-of-a-bitch" and called us "assholes" He then fingered us (middle finger) as he later drove up the hill (9/8/09) morning

Respondent(s) called the Petitioner(s) abusive names as follows: bitch, son-of-a-bitch, assholes. And he did it with daycare kids present. (9/10/09) morning

Respondent(s) damaged the Petitioner's property as follows: _____

Respondent(s) broke into and entered the Petitioner's residence as follows: _____

Respondent(s) stole property from the Petitioner(s) as follows: _____

Respondent(s) took pictures of the Petitioner(s) without permission of the Petitioner(s) as follows: _____

Other: _____

3. I ask the Court to issue a Restraining Order. I ask the Court to order the following:

Respondent(s) shall not harass me my minor child (ren) or ward(s). or my wife!
List minor children/wards included in this Petition: Grace, Joseph

Respondent(s) shall have no contact with me my minor child (ren) or ward(s) listed above.

Respondent(s) shall stay away from where I/we live (address) 19655 Ireland Place, Lakeville, MN

Respondent(s) shall stay away from my place of employment located at _____

County
DAKOTA

Court File Number: 19AVCV-09-3394
Case Type: Harassment

RANDY MARTIN

Petitioner(s)

vs.

DAVID RUCKI

Respondent(s)

**Order Upon Petition for
Harassment Restraining Order**

Order for Dismissal

Denial (No immediate and present danger so
a Temporary Restraining Order cannot be issued.

(A hearing has been scheduled.)
 Temporary Restraining Order
(Minn. Stat. §609.748, subd. 4)

Based upon Petitioner's Affidavit and Petition for a Harassment Restraining Order and other information provided to the Court, **THE COURT FINDS:**

- The petition has no merit and the matter should be dismissed.
- There is no immediate and present danger of harassment to justify temporary relief.
- There are reasonable grounds to believe that Respondent(s) has/have harassed Petitioner(s) as alleged in the petition:

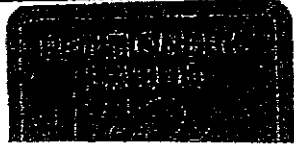
- Physically or sexually assaulted the Petitioner(s);
- Followed, pursued or stalked the Petitioner(s);
- Made uninvited visits to the Petitioner(s);
- Made harassing phone calls to the Petitioner(s);
- Made threats to the Petitioner(s);
- Frightened Petitioner(s) with threatening behavior;
- Called the Petitioner(s) abusive names;
- Damaged the Petitioner's property;
- Broke into and entered the Petitioner's residence;
- Stole property from the Petitioner(s);
- Took pictures of the Petitioner(s) without permission of the Petitioner(s);

FILED
DAKOTA COUNTY
COURT CLERK
SEP 08 2009
BY
DEPUTY

Other: _____

IT IS ORDERED:

1. The case is dismissed because the Petition lacks merit.
2. The request for temporary relief is:
 - Denied because the petition fails to allege an immediate and present danger of harassment.
 - Granted and:
 - Respondent(s) shall not harass Petitioner Petitioner(s) minor child/ren or ward(s).
List minor child/ren or wards included in this Petition: ROBIN, GRACE, JOSEPH, OR ANY OTHER MINOR CHILDREN OR PARENTS AT PETITIONER'S HOME DAY CARE.
 - Respondent(s) shall have no contact with Petitioner Petitioner(s) minor child/ren or ward(s).
 - Respondent(s) shall stay away from where Petitioner resides: 19655 IRELAND PLACE, LAKEVILLE, MN.
 - Respondent(s) shall stay away from Petitioner's place of employment located at _____
 - Other: SHALL HAVE NO CONTACT WITH MINOR CHILDREN AT PETITIONER'S DAY CARE.



3. A hearing will be held on _____ at _____ in _____ at (address) _____ Respondent shall appear personally in Court for the hearing and explain why the requests made in the Petition should not be granted.

NOTICE

The following conduct is a violation of this order if an Order For Relief is granted: Any contact with Petitioner(s), direct or indirect and including any minor children included in this Order, any visits to the Petitioner(s), any phone calls to the Petitioner(s), threats to the Petitioner(s), assaultive behavior to the Petitioner(s), calling the Petitioner(s) abusive names, damaging the Petitioner's property, breaking into and entering the Petitioner's residence, stealing property from the Petitioner(s), taking pictures of the Petitioner(s) without permission of the Petitioner(s), and _____

4. The Court Administrator shall send a copy of this Order For Relief to the following law enforcement agency(s): DAKOTA County Sheriff's Department and LAKEVILLE Police Department which has authority over the residence of the Petitioner(s). Every police department and sheriff's office in Minnesota is responsible for enforcing this order.

5. If respondent is an organization, this order shall shall not apply to all members of the organization.

6. Other: _____

7. This Order For Relief shall remain in effect until 9-8-2011 Date (not to exceed two years) unless a hearing is requested within 45 days of the issuance of this Order.

8. The sheriff of any county in this state shall perform the duties relating to service of this Order without charge to the petitioner.

Notice to Parties

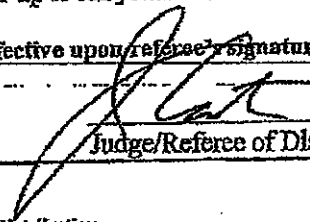
If a hearing is scheduled and Respondent(s) does/do not appear at the scheduled hearing, a Harassment Restraining Order may be granted. Failure of Respondent(s) to appear WILL NOT be a defense to criminal charges against Respondent(s) for violation of any part of this Order. If Petitioner(s) does/does not appear this case may be dismissed.

A police officer shall arrest Respondent without warrant and take them to jail if a police officer believes that Respondent has violated this Order For Relief and shall hold respondent in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless the respondent is released earlier by a judge or judicial officer.

Violation of this Order For Relief may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a \$1000.00 fine. Some repeat violations are gross misdemeanors and may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies and may result in a sentence of imprisonment for up to five years and/or a \$10,000 fine. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00.

NOTE: When signed by referee, this temporary order is effective upon referee's signature (Minn. Stat. § 518B.01, subd. 7 (c)).

Dated: 9/8/09


Judge/Referee of District Court

- Distribution
- | | |
|--|--|
| _____ Certified copy or original--Return to Court Administrator with Affidavit of Service attached | _____ Copy for Respondent(s) |
| _____ Copy for Petitioner(s) | _____ Copy for local police department |
| _____ Copy for file until original returned | _____ Other: _____ |
| _____ Copy for Sheriff | |

Important Notice to Respondent

If you are served with these papers, one of the following has happened (see attached papers for specifics):

- A temporary harassment restraining order has been issued against you. A hearing has been scheduled. OR
- A temporary harassment restraining order has been issued against you. A hearing has not been scheduled. You have 45 days from the date of the order to request a hearing. OR
- No harassment restraining order has been issued at this time. A hearing has been scheduled.

Review the attached papers carefully.

What is a Harassment Restraining Order?

A person who is a victim of harassment may seek a restraining order from the Court. The parent or guardian of a minor who is the victim of harassment may seek a restraining order on behalf of the minor. The restraining order prohibits harassment. A restraining order may be issued against an individual who has engaged in harassment, or against organizations that have sponsored or promoted harassment.

What is Harassment?

Minn. Stat. § 609.748 defines harassment as ANY of the following:

- A single incident of physical or sexual assault.
- Repeated incidents of intrusive or unwanted acts, words or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security or privacy of another, regardless of the relationship between you and the alleged harasser.
- Targeted residential picketing, which includes:
 - a. marching, standing, or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security, or privacy of an occupant of the building, and
 - b. marching, standing, or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located.
- A pattern of attending public events after being notified that one's presence is harassing to another.

Change of Address:

It is important that the court knows your mailing address to send you notices. If your mailing address changes, notify the court administrator of your new mailing address.

Hearing:

You have the right to request a hearing. If a temporary restraining order has been issued, you have 45 days from the date of order to file a Request for Hearing with the court. You will be required to pay a civil filing fee unless you qualify as low income. You may complete and file an IFP form that would be reviewed by a judge who would determine whether to waive your filing fee. IFP forms are available from the court administrator. The court will notify the parties with a date and time to appear for a hearing.

Violations:

You may be charged with a misdemeanor, subject to a sentence of up to 90 days in jail and/or a fine of \$1000.00, if you are aware of the existence of a restraining order and you violate it. Some repeat violations are gross misdemeanors that may result in a sentence of up to one year in jail and/or a \$3,000.00 fine. Other violations are felonies that may result in a sentence of imprisonment for up to five years and/or a fine of \$10,000.00. A person who engages in a pattern of harassing conduct is guilty of a felony and may be sentenced to imprisonment for up to ten years and/or a fine of \$20,000.00. You may be arrested and taken into custody without warrant if a peace officer has probable cause to believe you are in violation of the restraining order. You will be held in jail for at least 36 hours, excluding the day of arrest, Sundays, and legal holidays, unless you are released earlier by a judge or judicial officer. Violation of the restraining order also constitutes contempt of court.

JUDicial OFF WAS ISSUED 6/22/12
1st OFF WAS ISSUED 6/22/11

State of Minnesota

County
Dakota

District Court

Judicial District: First
Court File Number: 19AV-FA-11-1760
Case Type: Domestic Abuse

In the Matter of:

Sandra Sue Grazzini-Rucki
Petitioner

vs.

Order for Protection
Following Hearing
(Minn. Stat. § 518B.01, subd. 6)

David Victor Rucki
Respondent

This matter came on for hearing before the Court on JUNE 22, 2011 pursuant to the
(Date) Domestic Abuse Act.

Petitioner did / did not appear.

Respondent did / did not appear / after personal service of the ex parte order /
 after published notice.

An advocate appeared with Petitioner / Respondent.

Also appearing: _____

Based on the evidence presented at the hearing in this matter, the Court makes the following FINDINGS OF FACT and CONCLUSIONS OF LAW:

- Respondent personally appeared or had reasonable notice and opportunity to be heard. The procedures for service upon Respondent set forth in the Minnesota Domestic Abuse Act (Minn. Stat. § 518B.01) were followed, and the court has jurisdiction over the parties and subject matter.
- Petitioner and Respondent are (check all that apply):
 - Husband/Wife (date of marriage _____)
 - Former husband/wife (date of marriage _____)
 - Living together
 - Lived Together (from ___/___/___ to ___/___/___)
 - Have a child together
 - Have an unborn child together
 - Parent/child
 - Related by blood
 - Significant romantic or sexual relationship (if checked, answer items below):
 - How long did the relationship last? _____
 - How often did you have contact with Respondent? _____
 - Length of time since the relationship ended: _____

FILED DAKOTA COUNTY
CAROLYN M. REHN, Court Administrator
JUN 22 2011

3. Respondent's address is: 17459 FLAGSTAFF AVE., LAKEVILLE, MA

4. a. Acts of domestic abuse have occurred, including the following:

b. Respondent does not object to an Order for Protection and understands that the order will be enforced as if there was an admission or finding of domestic abuse.

c. Petitioner has already had an order for protection against Respondent, and
 Respondent violated the order; OR
 Petitioner is reasonably in fear of physical harm from Respondent (physical harm need not be imminent); OR
 Respondent has engaged in acts of harassment or stalking.

5. That the safety of the Petitioner and the child(ren) requires that custody of the child(ren) be granted to the Petitioner.

6. Paternity has not been decided by a Court, and the Court is not addressing issues of custody, parenting time (visitation), and support. (Under Minnesota law, where paternity has not been decided, sole physical and legal custody of a child is with the biological mother.)

7. The prior custody order giving Petitioner/~~Respondent~~ custody remains in effect.

8. The safety of the Petitioner and the child(ren) requires that parenting time (visitation) be limited as follows:
a. Respondent have no parenting time (visitation) with the child(ren)
b. Respondent have restricted/supervised parenting time (visitation) with the child(ren)
c. Respondent have parenting time (visitation) with the child(ren) with the following conditions and schedule:

9. Petitioner is seeking child support or support for her/himself.
a. Petitioner's income is \$ _____ per month from _____ (source). Petitioner has monthly expenses of \$ _____. Respondent's income is \$ _____ per month from _____ (source). Address of Respondent's employer: _____

b. The Court is required by Minnesota Statutes to order funds withheld from Respondent's income for child support or support for a spouse.

c. Waiver of automatic income withholding is not contrary to the best interests of the child, and the parties have reached a written agreement that is likely to result in timely payments or there exists good cause to waive automatic income withholding.

10. Respondent has health insurance / dental insurance available for Petitioner / the following minor child (ren):

11. Petitioner has child care costs of \$ _____ per month because of employment or school.

12. As a result of Respondent's acts of domestic abuse, Petitioner suffered damages of \$ _____ for the following expenses: _____

13. Other: _____

Based upon the above findings and conclusions, the Court ORDERS:

1. Respondent shall not commit acts of domestic abuse against the Petitioner ~~or the child(ren)~~. This means that Respondent may not harm or cause fear of harm to the Petitioner ~~or the child(ren)~~, and that Respondent may not use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily injury to Petitioner ~~or the child(ren)~~.

2. Respondent shall have no contact, either direct or indirect, with Petitioner / ~~child(ren)~~, whether in person, by telephone, mail, or electronic mail or messaging, through a third party, or by any other means:

THE PARTIES MAY E-MAIL OR TEXT MESSAGE EACH OTHER

REGARDING CHILD RELATED ISSUES ONLY

3. a. Respondent shall not enter Petitioner's residence (located at 19675 LAKELAND PLACE, LAKEVILLE, MN) (Petitioner's residence is not disclosed), or any future residence, even if invited to do so.

b. Respondent shall stay away from a reasonable area surrounding Petitioner's residence, as follows: _____

YOU ARE FORBIDDEN TO ENTER OR STAY AT PETITIONER'S RESIDENCE FOR ANY REASON, EVEN IF INVITED TO DO SO. THE PETITIONER IS NOT IN VIOLATION OF THIS ORDER AND THE ORDER IS NOT CANCELED IF THE RESPONDENT IS FOUND AT THE PETITIONER'S RESIDENCE.

4. a. Respondent shall not call or enter Petitioner's place of employment which includes all land, parking lots, and buildings at: _____

OR

- b. Respondent's right to visit or call Petitioner's place of employment is limited as follows:

5. Petitioner is awarded sole physical and legal custody of the following child(ren):

6. Parenting time (visitation) is awarded as follows:

- The question of parenting time (visitation) will be decided by the Court at a later date.
 The Respondent shall not have any parenting time (visitation) with the minor child(ren) of the parties.

- Respondent is awarded parenting time (visitation) with the minor child(ren) of the parties with the following conditions and schedule: AS SET FORTH IN A FAMILY

COURT ORDER OR AS RECOMMENDED BY GUARDIAN AD LITEM

7. Respondent shall pay \$_____ per (week) (month) for temporary support of the parties' minor child(ren), \$_____ per (week) (month) for child care costs, \$_____ per (week) (month) for medical support, and \$_____ per (week) (month) for Petitioner's support, as follows:

- a. Payable directly to Petitioner.

OR

- b. Payable to _____ County Child Support Enforcement.

OR

- c. \$_____ shall be withheld from Respondent's (weekly) (bi-weekly) (monthly) check from _____ employer or other payor. This amount shall be forwarded to the public agency responsible for enforcement, pursuant to Minnesota Statutes, commencing on _____ (date). Respondent's social security number is contained in the confidential sheet.

8. a. Respondent shall continue existing health and dental insurance without change in coverage or beneficiaries.

NOTICE

If the Court awards custody or support, see attached Appendix A.

9. The care, possession, or control of a pet or companion animal owned, possessed, or kept by the petitioner or respondent or a child of the petitioner or respondent is set forth as follows: _____
-

Respondent must not physically abuse or injure any pet or companion animal, without legal justification, known to be owned, possessed, kept, or held by either party or a minor child residing in the residence or household of either party as an indirect means of intentionally threatening the safety of such person.

10. Neither party shall sell, give away, damage, destroy, hide, or permit any other person to obtain legal rights in any property, whether real estate or personal property, owned or possessed by the parties together [or individually, if the parties are married] except in the usual course of business or for the necessities of life.

11. It is ordered that the Respondent shall pay to Petitioner for damages the amount of \$_____.
 Payment is to be made by _____ (date).
 Payments are to be made according to the following schedule: _____
-

12. Respondent shall report any change of address in writing to the Court administrator's office within 10 days.

13. Property Division:

Petitioner is awarded use and possession of the shared residence at _____

(address).

Petitioner is awarded use and possession of the following personal property:

Respondent is awarded use and possession of the following personal property:

14. Respondent shall participate in treatment or counseling services as indicated below. Respondent shall comply with the recommendations of the service/program.
- Domestic Abuse program (specify): _____
- Alcohol/chemical dependency evaluation and treatment program (specify):

- Other (specify): _____

- This program is named an interested third party and is given power and responsibility to report violations of this provision to the Court. The program shall notify Petitioner if it brings a contempt motion against Respondent.

15. The DAWOTA County Sheriff's Department and the LAKEVILLE Police Department shall enforce the provisions of this Order for Protection and shall help the Petitioner enforce and/or serve this Order, without charge. Peace officers licensed by the State of Minnesota and Correction officers, including but not limited to, probation officers, court services officers, parole officers and employees of jails or correctional facilities may serve an Order for Protection. If the application for relief is brought in a county in which the Respondent is not present, the sheriff shall forward the pleadings necessary for service upon the Respondent to the sheriff of the county in which the Respondent is present. This must be expedited to allow for timely service. Every police department and sheriff's office in Minnesota is responsible for enforcing this order. Enforcement of this order may include assisting in obtaining physical custody of child(ren), removing Respondent from the residence, and getting Petitioner's property back from the Respondent.

16. Respondent is ordered not to ship, transport, possess, or receive any firearm or ammunition.


17. Other
RESPONDENT MAY GO TO PETITIONER'S RESIDENCE TO OBTAIN
HIS PERSONAL BELONGINGS ONLY IF ACCOMPANIED BY LAW
ENFORCEMENT OFFICER (AND BUSINESS BELONGINGS, EQUIPMENT, RECORDS, ETC)

18. This Order for Protection is effective for a period of two (2) YEARS from the date of this Order, and applies throughout the State of Minnesota, and is enforceable in all 50 states, Washington D.C., tribal lands, and U.S. Territories, pursuant to 18 U.S.C. § 2265.

NOTICE TO RESPONDENT:

- A police officer shall arrest you and take you to jail if the police officer believes you have violated this Order and shall hold you in jail for at least 36 hours, excluding the day of arrest, Sundays, and holidays, unless you are released earlier by a judge or judicial officer.
- Violation of this Order may be treated as a misdemeanor, gross misdemeanor, or felony. A misdemeanor violation may result in a sentence of up to 90 days in jail and/or a fine of up to \$1,000. Some repeat violations are gross misdemeanors which may result in a sentence of up to one year in jail and/or a fine of up to \$3,000. Other violations are felonies and may result in a sentence of imprisonment for up to five years and/or a fine of up to \$10,000.
- The Violence Against Women Act (18. U.S.C. 2265) makes this Order enforceable in all 50 states, Washington D.C., tribal lands, and U.S. territories. A violation of this Order may result in federal charges and punishment.
- You must comply with the Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. § 922(g)(8), concerning the shipping, transporting, possession, or receiving of firearms and ammunition.
- If an Order for Protection is issued, the Court must consider the Order in making a decision in any parenting time (visitation) proceeding, if requested by Petitioner.

Dated: June 22, 2011


Judge of District Court

Distribution

<input checked="" type="checkbox"/> Certified copy or original - Return to Court Administrator with Affidavit of Personal Service attached	
<input checked="" type="checkbox"/> Copy for Petitioner(s)	<input checked="" type="checkbox"/> Copy for Respondent(s)
<input type="checkbox"/> Copy for file until original returned	<input type="checkbox"/> Copy for local police department
<input type="checkbox"/> Copy for Sheriff	Other: _____
<input type="checkbox"/> Dissolution File	

State of Minnesota

District Court

County DAKOTA

Judicial District:	FIRST
Court File Number:	94V-FA-11-1760
Case Type:	Domestic Abuse

In the Matter of:

Sandra Sue Grazzini-Rucki

Petitioner

**Amended
Order for Protection
After Motion to Modify**

vs.

David Victor Rucki

Respondent

An Order For Protection was issued on June 23, 2011
(date)

This matter came on for a Modification Hearing on: November 28, 2011
(date)

Petitioner did/ did not appear/ after personal service of the Order to Appear.

Respondent did/ did not appear/ after personal service of the Order to Appear.

Based upon the Affidavit and Motion and evidence presented at the Motion hearing:

IT IS ORDERED THAT THE PREVIOUS ORDER OF THE COURT DATED
June 23, 2011 **SHALL REMAIN IN FULL FORCE AND EFFECT**
WITH THE FOLLOWING MODIFICATIONS:

2 shall be modified as follows:

Text messages between the parties shall be limited solely to exchanging information regarding pickup and dropoff times and activities and appointments dates and times of the children.

_____ shall be modified as follows:

3b shall be modified as follows:

Respondent shall stay away, at least 200 feet, from petitioner's residence

FILED DAKOTA COUNTY
CAROLYN M. RENN, Court Administrator

NOV 28 2011

_____ shall be modified as follows:

_____ shall be modified as follows:

other

Date:

11/28/11


Judge of District Court

Distribution

_____ Certified copy or original - Return to Court Administrator with Affidavit of Personal Service attached

_____ Copy for Petitioner(s)

_____ Copy for Respondent(s)

_____ Copy for file until original returned

_____ Copy for local police department

_____ Copy for Sheriff

_____ Other: _____

_____ Dissolution File

Skip to Main Content | Logout My Account Search Menu New Criminal/Traffic/Petty Search Refine Search Back

Location : All MNCIS Sites - Case Search Images Help

REGISTER OF ACTIONS
CASE No. 19AV-CR-12-1215

State of Minnesota vs DAVID VICTOR RUCKI

§
5
0
9
0
3
0
1
2

Case Type: Crim/Traf Mandatory
Date Filed: 01/20/2012
Location: - Dakota-Apple Valley

PARTY INFORMATION		
Defendant	RUCKI, DAVID VICTOR 17549 FLAGSTAFF AVE FARMINGTON, MN 56024	Male DOB: 02/03/1953
Jurisdiction	State of Minnesota NONE	Lead Attorneys LISA MARIE ELLIOTT <i>Retained</i> 612-468-7190(W) LAKEVILLE CITY ATTORNEY'S OFFICE

CHARGE INFORMATION			
Charges: RUCKI, DAVID VICTOR	Statute	Level	Date
1. Domestic Abuse - Violate Order for Protection-Misdemeanor	610B.01.14(b)	Misdemeanor	10/12/2011

EVENTS & ORDERS OF THE COURT	
DISPOSITIONS	
03/07/2012	Plea (Judicial Officer: Knutson, David L.) 1. Domestic Abuse - Violate Order for Protection-Misdemeanor Not guilty
05/17/2012	Disposition 1. Domestic Abuse - Violate Order for Protection-Misdemeanor Acquitted
OTHER EVENTS AND HEARINGS	
01/20/2012	Citation
02/13/2012	Arraignment (1:30 PM) (Judicial Officer Knutson, David L.) Result: Held
02/14/2012	CANCELED Arraignment (8:30 AM) (Judicial Officer Wermager, Tim D.) Other Per Judge Knutson
03/07/2012	Pre-Trial (1:30 PM) (Judicial Officer Knutson, David L.) Before J. Knutson Result: Held
03/07/2012	Order-Other (Judicial Officer: Knutson, David L.) Schedule for court trial in Hastings 05/07/12 at 9:00 in Hastings.
03/07/2012	Notice of Evidence and Identification Procedures (Judicial Officer: Knutson, David L.)
05/07/2012	Court Trial (1:30 PM) (Judicial Officer Knutson, David L.) to be heard before Judge Knutson 05/07/2012 Reset by Court to 05/07/2012 Result: Held
05/07/2012	Taken Under Adversment (Judicial Officer: Knutson, David L.)
05/17/2012	Findings of Fact, Conclusions of Law and Order (Judicial Officer: Knutson, David L.)
05/17/2012	Notice of Filing of Order
05/17/2012	Other Document Court Minutes
05/21/2012	Correspondence Exhibit Letter

APP236

9/6/2013

<http://cws.courts.state.mn.us/MPA/CaseDetail.aspx?CaseID=1615067023>

COA-454

Criminal/Traffic/Petty Case Records Search Results

[Skip to Main Content](#) | [Logout My Account](#) | [Search Menu](#) | [New Criminal/Traffic/Petty](#) | Location: All MNCS Sites - Case Search Help
[Search Refine Search](#)
 Record Count: 20
 Search By: Defendant Exact Name on Party Search Method: Name Last Name: Ruckl First Name: David Case Status: All Sort By: Filed Date

Case Number	Citation Number	Defendant Info	Filed/Location	Type/Status	Charge(s)
19-TX-05-070802	5 634230	RUCKI, DAVID	08/05/2005 02/03/1983	Moving - Petty Misd - Dakota-Apple Valle Converted Closed	CHILD RESTRAINT-UNDER 4YR
19-TD-07-036873	TW000013	RUCKI, DAVID	08/28/2007 02/03/1983	Non-Moving Petty - Dakota-Most St, Pa Converted Closed	WINDOW TINT TOO DARK-11%
19AV-VB-08-0754	LA08002100	RUCKI, DAVID	09/30/2008 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle Vehicle Registration - Failure Closed	Non-Mand Motor Vehicle Registration - Failure
19AV-CR-08-17007	LA08003207	RUCKI, DAVID	10/03/2008 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory Assault-6th Degree-Fear of Bodily I Closed	Mandatory Assault-6th Degree-Fear of Bodily I
19AV-CR-09-22382	LA09001481	RUCKI, DAVID	09/16/2009 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory CR-DISORDERLY CONDUCT IN / Closed	Mandatory CR-DISORDERLY CONDUCT IN /
19AV-VB-10-701	LA10000123	RUCKI, DAVID	10/11/2010 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle REG-EXPIRED REGISTRATION / Closed	REG-EXPIRED REGISTRATION /
19AV-VB-10-16073	LA10002071 LA10002071	RUCKI, DAVID	10/24/2010 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle DL-DRIVING AFTER SUSPENSIO Under Court Jurisdic INS-FAIL TO PRODUCE PROOF I Closed	DL-DRIVING AFTER SUSPENSIO INS-FAIL TO PRODUCE PROOF I
19AV-VB-11-4101	LA11000740	RUCKI, DAVID	03/02/2011 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle ORD-DOB AT LARGE(5-1-9-A) Under Court Jurisdic Closed	ORD-DOB AT LARGE(5-1-9-A)
20-VB-11-6313	VP09400 VP09400	RUCKI, DAVID	03/14/2011 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle Drivers' Licenses-Driving resident of Closed Motor Vehicle Registration - No File	Drivers' Licenses-Driving resident of Motor Vehicle Registration - No File
19AV-CR-11-11280	LA11002200	RUCKI, DAVID	08/21/2011 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory Domestic Abuse - Violate Order for Closed	Mandatory Domestic Abuse - Violate Order for
19AV-CR-11-44170	LA11002720	RUCKI, DAVID	10/27/2011 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory DOMEST-VIOLATE ORDER FOR Closed	Mandatory DOMEST-VIOLATE ORDER FOR
19AV-CR-11-14082	LA11002016	RUCKI, DAVID	08/01/2011 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory DOMEST-VIOLATE ORDER FOR Under Court Jurisdic Closed	Mandatory DOMEST-VIOLATE ORDER FOR
19HA-VB-11-0833	2134587	RUCKI, DAVID	09/28/2011 02/03/1983	Crim/Traf Non-Mand - Dakota-Haellings - Or Traffic Regulation - Driver Must Ca Closed	Traffic Regulation - Driver Must Ca
20-VB-11-26188	70081112050	RUCKI, DAVID	11/18/2011 02/03/1983	Crim/Traf Non-Mand - Scott MOV-INSURANCE: OWNER FAIL Closed	MOV-INSURANCE: OWNER FAIL
19AV-CR-12-1216	101100001177	RUCKI, DAVID	10/20/2012 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory Domestic Abuse - Violate Order for Closed	Mandatory Domestic Abuse - Violate Order for
20-VB-12-2080	888000011450	RUCKI, DAVID	02/08/2012 02/03/1983	Crim/Traf Non-Mand - Scott Traffic Regulation - Operate Vehicle Under Court Jurisdic Closed	Traffic Regulation - Operate Vehicle
19AV-VB-12-13303	000000000204 000000000204	RUCKI, DAVID	08/13/2012 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle Traffic Regulation - Equip Vehicle - Closed Traffic Regulation - Driver Must Ca	Equip Vehicle - Traffic Regulation - Driver Must Ca
19AV-VB-12-20608	191112804011	RUCKI, DAVID	10/22/2012 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle DNR-FAILURE TO EXTINGUISH / Closed	DNR-FAILURE TO EXTINGUISH /
19AV-VB-12-23820	101112804538 101112804530	RUCKI, DAVID	12/11/2012 02/03/1983	Crim/Traf Non-Mand - Dakota-Apple Valle SEATBELT-REQUIRED-DRIVER, Closed INS-FAIL TO PRODUCE PROOF I	SEATBELT-REQUIRED-DRIVER, INS-FAIL TO PRODUCE PROOF I
19AV-CR-12-24812	101100001100	RUCKI, DAVID	12/21/2012 02/03/1983	Crim/Traf - Dakota-Apple Valle Mandatory Contempt of Court - Willful Disob Closed	Mandatory Contempt of Court - Willful Disob

<http://ows.courts.state.mn.us/MPA/Search.aspx?ID=100&NodeID=174%20151%20e1/>

APP.293

COA-511

STATE OF MINNESOTA
SCOTT COUNTY

DISTRICT COURT
FIRST JUDICIAL COURT
CASE TYPE;
HARASSMENT

PETITIONER
SANDRA GRAZZINI-RUCKI

VS

RESPONDENT
DAVID VICTOR RUCKI

To the Clerk of courts

Attn Judge Michael Fahey and Judge Ann M Offerman

Enclosed are documents from Scott County as well as some history from Dakota County regarding my request for a immediate issue of an HRO. Due to the fact there have been 2 incidents in Scott County within 1 week and his past history of violence. I am scared for my friends and myself that he may do something prior to the hearing. I am hoping that a hearing may not be necessary and the HRO may be issued.

Thank you
Sandra Grazzini-Rucki

State Of Minnesota

County

SCOTT

District Court

Judicial District:

FIRST

Court File Number:

70-cv-13-1540 8

Case Type:

Harassment

AMENDED
PLEASE SEE ATTACHED

Petitioner's Affidavit and Petition for
Harassment Restraining Order
(Minn. Stat. §609.748)

Petitioner

Name:	SANDRA GRAZZINI - Rucki
Address:	13800 NICOLET BLVD #1537
	BURNSVILLE, MN 55337
Date of Birth:	9-30-65
On behalf of: (names of minor children who are victims of harassment and their dates of birth)	
Name:	DOB:
Name:	DOB:
Name:	DOB:

vs.

Respondent

(Person harassing you or your minor child):	
Name:	DAVID VICTOR RUCKI
Address:	17549 PLASSHAF AVE FARUKI, MN
	19675 IRELAND PLACE
	LAKEVILLE, MN 55844
Date of Birth:	2-3-63
	(if known, or approximate age)

STATE OF MINNESOTA }
COUNTY OF SCOTT } ss
(COUNTY WHERE AFFIDAVIT IS SIGNED)

FILED

AUG 05 2013

SCOTT COUNTY COURTS

I understand that I am under oath/affirmation and I must tell the truth. I state that:

1. I am the Petitioner in this case. The victim of the harassment is me a minor child for whom I am the parent, legal guardian or stepparent. (If you are the guardian, attach a copy of the order appointing you.) The name of each victim, other than me, is: _____

How does each victim know the Respondent and what is their relationship? EX-HUSBAND

If you are filing on behalf of another person, what is your relationship to each victim? _____

2. a) How many restraining orders have been in effect, ordering Respondent to stay away from the victims you included at #1 above? none one two or more. For each restraining order provide:

Court File Number, if known	County and State where the court is located

b) Does Respondent have a current Harassment Restraining Order or Order for Protection against you?

Yes, Case File Number (if known) _____ No, I am not aware of any.

3. The following court cases involve me and the Respondent in issues of child custody or parenting time:

Court File Number	County and State where the court is located

4. Respondent has harassed the victim(s) as follows:

- Check all boxes that apply and give the date and details of each incident.
- To get a Restraining order, you must describe actions that meet the legal definition of harassment in Minnesota. See the Instructions for the definition of harassment.
- One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.
- If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.

Respondent physically or sexually assaulted the victim as follows: _____

Respondent has followed, pursued or stalked the victim as follows: _____

PICTURES ARE IN FIRST COMPLAINT

Respondent made uninvited visits to the victim as follows: _____

Respondent made harassing phone calls to the victim as follows: _____

Respondent made threats to the victim as follows: _____

Respondent frightened the victim with threatening behavior as follows: _____

^{no} Respondent broke into and entered the victim's residence as follows: _____

Respondent damaged the victim's property as follows: _____

Respondent stole property from the victim as follows: _____

Respondent took pictures of the victim without permission as follows: _____

More than once, Respondent has done acts that meet the legal definition of "targeted residential picketing" by: _____

I told Respondent not to come to certain public events that I or the children attend because: _____

After that, Respondent attended public events I/we attended: (List dates, places and name of events)
PLEASE SEE ATTACHED

These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to me/children.

Other: _____

5. Describe the effect the harassment has upon the victim's safety, security or privacy:
SEE ATTACHED

6. Do you believe the harassment will continue? Why?
SEE ATTACHED
I'M SCARED FOR MY FRIENDS AND MY SAFETY

7. I ask the Court to issue a Restraining Order as follows: Check all boxes (a through e) that apply.
 a. Respondent shall not harass me minor child (ren) for whom I am the parent, legal guardian, or stepparent. List the full names of the minor children included in this Petition: _____

b. Respondent shall have no contact with me the minor child(ren) listed above.

c. Respondent shall stay away from where I/we live (address) 500 FT. FROM FRIENDS HOMES I VISIT, PLACES I GO. AND MUST LEAVE IMMEDIATELY
OR THE OFFICES MAY ARRIVE

d. Respondent shall stay away from my/the victim's job site located at _____

e. Other: _____

8. Court Hearing

Petitioner: Read these Notices about a Hearing

- You have a right to request a court hearing.
- If the Judge dismisses your case because it has no merit, no hearing will be held.
- The Judge can issue a Restraining Order without a court hearing if the Judge finds there is immediate and present danger of harassment.
- If the Judge issues a Restraining Order without a hearing, the Respondent can request a hearing within 45 days of the date the Restraining Order is issued. If Respondent requests a hearing, the court will notify you by mail at least five days before the hearing date.
- If there is a hearing, you must attend the hearing and prove that the statements in your Petition & Affidavit are true, and that Respondent's actions are harassment, as defined by Minnesota law.

Choose a. or b.

- a. I am not requesting a court hearing at this time.
 But if the court denies my request for a restraining order because the court finds there is no immediate and present danger of harassment, then (check one) I want I don't want a court hearing.

OR

- b. I am requesting a court hearing.

9. I request a Restraining Order for a length of:

- 2 years
 Until the following date: _____, which is less than 2 years from today.

Up to 50 years because:

- I have two or more prior restraining orders against Respondent (listed at #2 above.)
 Respondent has violated a prior or existing restraining order between us on two or more occasions.

500 FT AWAY

I understand the court will likely schedule a court hearing for any request over 2 years.

Dated: 8-5-13

Samira Grazzini-Rucker
 Signature (sign only in front of notary public or court administrator.)

Name SAMIRA GRAZZINI-RUCKER

Address 13800 NICOLET BLVD #153

City/State/Zip BURNSVILLE MN 55337

Telephone () N/A

Subscribed and sworn to before me

Date: 8-5-13

Audrey K Brown
 Notary Public Deputy Court Administrator

Notice: If your address or telephone changes, you must give Court Administration your new information right away, in writing.

Citation

Case Number:	19AV-CR-14-8958		
Agency:	Lakeville Police Department	Case Type:	Crim/Traf Mandatory
Citation #:	191114901660	Subtype:	
Off. Date:	06/12/2014	Time:	3:27 PM
TicketDate:	06/12/2014		

CITEE

DL Number:	E395029354717	DL State:	MN	Involvement:	Citee
Title:		First Name:	DAVID	Middle Name:	VICTOR
Last Name:	RUCKI	Suffix:			
Parent/Guardian:					
Street Address:	17549 FLAGSTAFF AVE				
City:	FARMINGTON	State:	MN	Zip Code:	55024
DOB:	02/03/1963	Eyes:		Height:	6Ft. 1In.
		Gender:		Race:	

VEHICLE

Veh License #:		State:		Commercial Vehicle:	No	Hazardous Material:	No
Type:		Make:					
Model:		Color:					

INCIDENT

Jurisdiction:	Lakeville	Fingerprint Taken:	
Property:		Weather:	
Control #:	14002058	Badge #:	MR4854
Officer:	ROBERTS		
Comments:	See the officer notes case event.		
Appear By:	07/29/2014	Time:	
Location:	Dakota, Apple Valley		

CHARGE

Code:	6092241	Description:	CR-5TH DEGREE ASSAULT(609-224-1)		
Degree:	Misdemeanor	Statute:	609.224.1	GOC:	
Address of Offense:	7435 179 ST W Lakeville				
State Share:		Targeted Misdemeanor:	X	Report to DNR:	
		Sheriff's Contingency:			
MOC:		Certify to DPS:		BAC Status:	
				BAC Level:	
Speed Amount:		Speed Limit:		Number of Animals:	
				Number of lb. Overweight:	