

SECOND JUDICIAL DISTRICT COURT  
COUNTY OF BERNALILLO  
STATE OF NEW MEXICO

2004 FEB -9 PM 1:16

PATRICIA RAE AVERY,  
PETITIONER,

vs.

DV-02-00761 Related To:  
DM-02-00523

STEPHEN ANTHONY AVERY,  
RESPONDENT.

MINUTE ORDER

THIS MATTER having come before the Court, on February 9, 2004, on the Respondent's oral Motion to Retrieve Firearms; the Petitioner not appearing in person and proceeding Pro Se; the Respondent appearing in person and proceeding Pro Se; the Court having heard argument; having examined the pleadings, and being otherwise sufficiently advised in the premises, FINDS:

1. The Non-Mutual Order of Protection, entered against the Respondent on June 26, 2002, was set aside/dismissed by Stipulation of the parties, on September 11, 2002.
2. There currently is no Order of Protection existing between the parties, nor has the Respondent been convicted of any Domestic Violence charges.
3. The Petitioner is currently incarcerated, on charges of conspiracy to commit murder of the Respondent.
4. Respondent wishes to retrieve his firearms, which he had to give up to law enforcement, when he was a party to the Protection Order.


**IT IS THEREFOR ORDERED:**

1. The Respondent shall be allowed to retrieve his firearms from any third party who currently has possession of them, and shall be allowed to possess his firearms and/or ammunition, personally, pursuant to current laws so regarding.

  
DISTRICT COURT JUDGE

cc: Petitioner, Pro Se  
Respondent, Pro Se

CERTIFIED AS A TRUE AND CORRECT COPY  
OF THE ORIGINAL FILED IN MY OFFICE,  
JUANITA M. DURAN, Clerk  
of the District Court.

By:   
Deputy Clerk

Date: 

FEB 09 2004