**IN THE IOWA DISTRICT COURT FOR POLK COUNTY**

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| IN RE THE MARRIAGE OF JOHN DOE AND JANE DOE | |
| Upon the Petition of  JOHN DOE,  Petitioner,  And Concerning,  JANE DOE,  Respondent. | CASE NO. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*  **APPLICATION FOR TEMPORARY INJUNCTIVE RELIEF** |

COMES NOW Petitioner (hereinafter “John”), by and through counsel and pursuant to Iowa Rule of Civil Procedure 1.502 moves the court for temporary injunctive relief, and in support of states to the Court:

1. Presently before the Court is John’s Petition to Establish Custody, Child Support and Visitation. The matter involves the best interests the parties’ nineteen month old child.
2. Pursuant to the Order on Temporary Matters entered on January 1, 2000, John has visitation with the minor child every week from Sunday at noon until Tuesday at noon.
3. In December of 2000 Respondent (hereinafter “Jane”) notified John that she was relocating with the child to Doe, Delaware. Jane has no family, support system or friends in Doe, Delaware.
4. Jane notified John of her intent to move right before Dr. Keri Kinnaird issued her custody evaluation on December 15, 2000.
5. Dr. Kinnaird recommends that the parties have permanent shared physical care over their minor child.
6. Jane recently graduated from nursing school. Upon her graduation, she was offered jobs at Methodist Hospital in Des Moines and the Methodist Hospital in Doe, Delaware.
7. Both of the parties’ extended families live in the Des Moines area. All grandparents to the minor child live in the Des Moines area.
8. It appears from all of the evidence available that at least part of Jane’s motivation of the move is to obtain permanent primary physical care of the parties’ minor daughter.
9. A move to Delaware by Jane will make the temporary order in this case ineffectual.
10. Because of the children’s young age and the Court’s overriding concern that all custodial/visitation orders be in the children’s best interest, monetary damages and/or penalties are an insufficient remedy, thereby justifying the issuance of temporary injunctive relief as neither Respondent nor the child have an adequate remedy at law. *See* Iowa R. Civ. P. 1.1502
11. Because Jane is threatening to do an act violating John’s right respecting the subject of the action and tending to make the temporary order ineffectual, the issue of a temporary injunction is appropriate.
12. Respondent has not previously presented her application for injunctive relief, in whole or in part, to any other judge or justice.
13. Respondent requests that a temporary injunction be issued preventing Jane from relocating the parties’ minor child prior to a final custody order being entered in this matter.

WHEREFORE, John respectfully requests this Court, pursuant to I.R.C.P. 1.1502, issue a writ of temporary injunction against Jane Doe prohibiting her from relocating the parties’ minor child out of the state of Iowa during the pendency of this action, and for such further relief as the court deems just in the premises.

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