

FILED IN OFFICE
IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

2009 AUG -5 AM 10:20

ROBERT MERRIMAN,

Plaintiff/Petitioner

vs.

MARK OWEN McLEOD,

Respondent.

Civil Action N°

Valerie E. Sanchez
CLERK SUPERIOR COURT
CHATHAM COUNTY GA

TEMPORARY RESTRAINING ORDER

This matter having come before the Court on a Petition for a Temporary Restraining Order, pursuant to the provisions of O.C.G.A. § 16-5-94, the Court finds as follows:

From June 22, 2009, through present, Mark Owen McLeod has knowingly and willingly committed repeated acts of stalking against Miley Cyrus, her family, friends, fellow employees and employers. Based upon the foregoing findings of facts, the Court concludes as a matter of law that jurisdiction and venue are proper in this Court and that a violation of O.C.G.A. § 16-5-90 likely did occur and that Cyrus, her family, friends, fellow employees and employer are reasonably fearful of both her safety and theirs,

IT IS THEREFORE ORDERED that MARK OWEN McLEOD is restrained and enjoined as follows:


1. McLeod shall not harass, threaten, molest, contact or attempt to contact, or in any other manner interfere with Cyrus, any member of her family, her friends, and fellow employees while at any place in Chatham County to include their residence, place of employment or any other public or private place.
2. The above restrained conduct applies to any and all forms or manner of contact, direct or indirect, personal or through intermediaries, and includes specifically contact by telephone,

telegraph, letter, and all electronic and computer communication to include e-mail, twitter, and social networking sites.

IT IS FURTHER ORDERED that service of this order shall be made on McLeod and that proof of such service shall be filed with the Court. A hearing on this order shall be scheduled no sooner than 3 days after service of the order on McLeod and in no case later than 30 days after the filing of the petition. At the hearing petitioner shall present sufficient evidence for the continuation of the order.

THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL A HEARING IS HELD AS STATED ABOVE.

This 5 day of August 2009.



Judge, Superior Court of Chatham County
Eastern Judicial Circuit, Georgia

Order prepared by:

Ga Bar No. 045709

IN THE SUPERIOR COURT OF CHATHAM COUNTY
STATE OF GEORGIA

ROBERT MERRIMAN,
Plaintiff/Petitioner,
vs.
MARK OWEN McLEOD,
Respondent.

Civil Action No. _____

VERIFIED PETITION FOR A
TEMPORARY RESTRAINING ORDER

ROBERT MERRIMAN moves this Court for a temporary restraining order pursuant to O.C.G.A. §16-5-94. In support, Merriman shows as follows:

1. Merriman is currently employed to provide security for Miley Cyrus, a minor, while she is filming a movie in Chatham County, Georgia.
2. In this capacity, Merriman is aware that McLeod has attempted to have personal contacts with Cyrus and that he has made numerous statements that he desires to have a relationship with Cyrus.
3. McLeod's attempted contact is unwanted and his statements regarding his alleged or desired relationship with Cyrus are delusional and reveal a potential psychiatric disorder.
4. McLeod's continued effort to contact Cyrus is harassing and intimidating and causes a reasonable concern for her safety and the safety of her family, friends, and others around her and as such constitutes stalking as defined by O.C.G.A. § 16-5-90.
5. On June 22, 2009, McLeod was arrested by the Tybee Island Police Department on charges of disorderly conduct and obstruction of an officer.
6. During the arrest and processing, McLeod made numerous statements about Cyrus which are reflected in the incident report attached as Exhibit 1.

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7. McLeod was released on a subpoena to appear.
8. Since his release, McLeod has continued to attempt to contact Cyrus.
9. On August 2, 2009, an individual matching McLeod's description and believed to be McLeod was seen by EM Security personnel in the vicinity of the movie set.
10. McLeod approached several residences in the area and asked if Cyrus was present.
11. McLeod appeared to be carrying something in his hand but his hand was wrapped in a cloth that covered whatever he was carrying.
12. EM Security personnel attempted contact with McLeod but he would not stop for them.
13. Tybee Island Police were notified and responded to the scene but were unable to locate McLeod. (Exhibit 2).
14. As a result of this attempted contact, Merriman requested that the Columbia County Sheriff's Office, (McLeod's home county) interview McLeod to determine if he was in fact present on Tybee Island on Sunday, August 2, 2009.
15. In an initial interview, McLeod admitted that he was present and had attempted to contact Cyrus on August 2, 2009.
16. In a subsequent taped interview with the Columbia Sheriff's Department, McLeod stated words to the effect that he knew that filming was going to end soon, that he had little time to do what he was going to do, and that he had to act fast.
17. On August 4, 2009, an arrest warrant for the offense of stalking was issued against McLeod due to his conduct on August 2, 2009 and subsequent statements to the Columbia County Sheriff's Office.
18. Merriman is aware of McLeod's criminal history and that he has previously been convicted of stalking.
19. Merriman, a retired law enforcement officer, affirms that there is probable cause to believe that McLeod's conduct constitutes stalking in violation of Georgia law.

20. Merriman verifies that McLeod's contact/attempted contact with Cyrus is unwanted, harassing, and intimidating. The attempted contact and statements made by McLeod have caused emotional distress and created a reasonable fear for the safety of Cyrus, her immediate family, and others who accompany her in her personal and professional life while she is present in Chatham County. This pattern of harassing and intimidating behavior serves no legitimate purpose.

WHEREFORE, Merriman requests that the Court issue an immediate temporary restraining order directing McLeod to cease and desist from making or attempting to make contact with Cyrus, or any member of her immediate family, her friends, and fellow employees.

This 5th day of August 2009.



Georgia Bar No. 045709

Post Office Box 9147
Savannah, Georgia 31412

Incident Report

Incident No.
2009082980

Primary Location: Tybee Island, GA 31328, County Chatham, Zone South, Sub Zone, Location, Sub Location, Business Name:
 Incident Date: 08/02/2009 18:45, Report Date: 08/02/2009 18:45, Stranger: Yes, Weapon Type, Premise: 6- OTHER
 Case Type: Neighborhood Compl., Case Status

Seq. No. 1, Name: King Roberta G, Home Phone, Work Phone, Other Phone, Address, Savannah, GA 31419, SSN, Race: Black, Sex: F, Date of Birth, Age, Employer: EM Security, School, Height, Weight, Hair, Eyes

Seq. No. 1, Name: McLeod Mark Owen, Home Phone, Work Phone, Other Phone, Address, Appling, GA 30802, SSN, Race: White, Sex: M, Date of Birth: 05/16/1958, Age: 63, Employer, School, Height: 5'08", Weight: 175, Hair: Brown, Eyes: Brown, Suspect, Warrant, Arrest, Juv. Arrest, Primary Aggressor

GCIC Entry Requested Warrant Missing Person Vehicle Article Boat Gun Securities
 Additional A & B Supplemental Citation Accident Victim Bill of Rights Vehicle Impound Inv. Rpt. Evidence Form
 Clearance Active, Clearance Date:

On the above date and time I responded to the above location on a Neighborhood Complaint call. Upon arriving I spoke to the complainant Ms. King who was working security for EM Security on 19th Street, watching over the movie equipment. Ms. King stated that she observed a white male walking around the area who fit the description of Mark McLeod. She stated she observed this subject walking around the movie set area and walking up to residents houses in the area asking for Miley. This subject was wearing a Miami Dolphins jersey with a number 9 on it, the back of the jersey had "Outcast" written on it. She tried approaching this subject and he started walking away from the area. At this time Ms. King called her supervisor and the Tybee Island Police concerning this issue. A search of the area was conducted and know one fitting the description was found.

Reporting Officer
 Officer John Kunego
 Approving Officer
 Lieutenant Jonathon K Hagan

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