

**IN THE SUPERIOR COURT OF GWINNETT COUNTY  
STATE OF GEORGIA**

ROBERT J. NEBEL,

Petitioner,

v.

BROOKE SISKIN,

Respondent.

CIVIL ACTION FILE NO.

20-F-00359-0

FILED IN OFFICE  
 CLERK SUPERIOR COURT  
 GWINNETT COUNTY, GA  
 20 JUL -9 PM 12:35  
 RICHARD ALEXANDER, CLERK

**ORDER MODIFYING ORDER FINDING CONTEMPT AND SANCTIONS FILED ON  
MARCH 30, 2020 AND ORDER OF INCARCERATION**

The above-styled case came before the Court on July 9, 2020 for an Emergency Hearing on a prior *Order Staying Previous Order Finding Contempt & sanctions, Denying Motion To Set Aside, and Granting Emergency Hearing* issued by Judge Kimberly Gallant on June 19, 2020. Judge Gallant's June 19, 2020 Order arises out of a prior compliance hearing where the Respondent was ordered to appear to show compliance with Judge Deborah Fluker's *Compliance Hearing Order & Notice(s) to Determine Whether Finding of Contempt of Court Order Should Issue*, filed on March 3, 2020.

The initial hearing date was scheduled for March 9, 2020. However, on that date, the Respondent was in the custody of the Gwinnett County's Sheriff Department and was unable to be brought into the courtroom for the scheduled hearing. The hearing was reset to March 10, 2020 and the Respondent was personally served with the new court date at the Gwinnett County Detention Center.

On March 10, 2020, the reset court date, the Respondent was still in the custody of the Sheriff and was still unable to be brought into the courtroom for the reset hearing. The hearing was reset again, to March 30, 2020 at 8:30 a.m. The Respondent was personally served by the Sheriff at the Gwinnett County Detention Center with the reset court date.

Respondent failed to appear for the reset court date on March 30, 2020 and Judge Gallant issued an *Order Finding Contempt & Sanction*, which found Respondent in willful contempt and ordered her arrest for same.

Respondent filed a *Motion To Set Aside Order and for Emergency Hearing* on June 18, 2020. On June 19, 2020, Judge Gallant issued an *Order Denying the Motion To Set Aside, Granting Emergency Hearing, and Staying the Order Finding Contempt & Sanctions* filed on March 30, 2020. The Emergency Hearing was set for July 9, 2020.

On July 9, 2020, Respondent and her counsel, Laura Mayfield, appeared for the Emergency Hearing. Petitioner did not appear and was not required to appear for this hearing. Upon a consideration of the testimony and evidence, the Court Finds and Orders as follows:

The Court finds that Respondent is still in willful contempt of court for failing to surrender all firearms and ammunition to the Gwinnett County Sheriff's Office. Respondent testified on June 9, 2020 that she presently has .380 ammunition located at her residence in Gainesville, Georgia, in violation of the 12 Month Family Violence Protective Order issued on March 3, 2020. Additionally, a Smith & Wesson .380 handgun, fully loaded, and additional .380 ammunition was seized by the Gwinnett County Police Department when Respondent was arrested for the offenses of disorderly conduct and criminal trespass at a BB&T bank branch in Lawrenceville, Georgia on March 6, 2020. The firearm and ammunition were located in the glovebox of the vehicle driven by the Respondent on the date of her arrest.


As a sanction for Respondent's continued willful contempt of court for failing to surrender all firearms and ammunition as previously ordered, Respondent shall purge herself of contempt by serving 4 days in custody at the Gwinnett County Detention Center. Additionally, Respondent shall file an Affidavit related to her ownership and/or possession of a Glock .22 handgun and ammunition referenced in the 12-month Order. The Court made a finding in the 12-month Order that Respondent owned or possessed a Glock .22 handgun and ammunition. Respondent now denies that she ever owned or possessed a Glock .22 handgun and ammunition. Consequently, Respondent is required to file an Affidavit attesting to her possession and ownership of such a weapon and ammunition to purge herself of willful contempt in this case.

Upon a filing of the Affidavit and serving 4 days in custody, Defendant shall be released from custody instantler. Defendant shall further have 24 hours from the date of her release from custody to surrender the .380 ammunition located at her residence AND any and all other firearms and ammunition in her possession, custody, and control as previously ordered in the 12-month Order.

Respondent shall be brought before the Court on Monday, July 13, 2020 at 8:30 a.m. in Courtroom 4 of the Gwinnett County Detention Center on the regularly scheduled Family Violence Calendar and shall be released from custody at that time if a Judge determines that she has complied with filing the Affidavit as outlined above.

Defendant is further Ordered to comply with all Orders of the Court going forward.

SO ORDERED, this 9th day of July, 2020.

  
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DEBORAH R. FLUKER, JUDGE  
Superior Court of Gwinnett County  
By Designation

cf: Petitioner  
Respondent  
Counsel for Respondent  
Gwinnett County Sheriff's Department