

\_\_\_\_\_  
Petitioner (First/Middle/Last)

Magistrate Court Case No.: \_\_\_\_\_

\_\_\_\_\_  
By: (Parent/Guardian/Next Friend)

Family Court Civil Action No.: \_\_\_\_\_

v.

Circuit Court Case No.: \_\_\_\_\_

\_\_\_\_\_  
Respondent (First/Middle/Last)

\_\_\_\_\_  
Address

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**PETITION FOR FIREARMS RETURN**

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I, \_\_\_\_\_, hereby request the return of firearms surrendered/transferred pursuant to the Protective Order entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

In support of this Petition, the Respondent states that the Protective Order entered above terminated or expired on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. The Respondent is not otherwise prohibited from possessing a firearm based upon any of the following federal or state laws:

1. I have not been convicted in any Court of a crime punishable by imprisonment for a term exceeding one year;
2. I am not a fugitive from justice;
3. I am not an unlawful user of or addicted to any controlled substance;
4. I am not habitually addicted to alcohol;
5. I have not been adjudicated as a mental defective or been committed to a mental institution;
6. I am not an alien illegally or unlawfully in the United States;
7. I have not been discharged from the armed forces under dishonorable conditions;
8. I have not renounced my citizenship of the United States;
9. I am not subject to a Domestic Violence Protective Order issued by this state or any other state.
10. I have not been convicted of a misdemeanor offense of assault or battery under the provisions of § 61-2-28 or § 61-2-9 of the West Virginia Code in which the victim was a current or former spouse, current or former sexual or intimate partner, a person with whom I have a child in common, a person with whom I cohabit or has cohabited, a parent or guardian, my child or ward, or a member of my household at the time of the offense, or have been convicted in any Court of any state or jurisdiction of a comparable misdemeanor crime of Domestic Violence.

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I fully agree to and understand that a criminal background check will be performed at the direction of the Court by a law enforcement agency and the return of my firearms is subject to the results of the background check.

My date of birth is \_\_\_\_\_.

My driver's license number is \_\_\_\_\_.

My social security number is \_\_\_\_\_.

My current address is \_\_\_\_\_.

Based upon all of the above, the Respondent respectfully requests that an Order allowing the return of all firearms to the Respondent be entered by the Court.

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**STATE OF WEST VIRGINIA**  
**COUNTY OF, TO WIT:**

I, \_\_\_\_\_, on oath or affirmation, say that I am the Respondent named in this Petition for Return of Firearms and that the facts contained herein are true, except that where they are stated to be upon information or belief, I believe them to be true.

\_\_\_\_\_  
Respondent's Signature

Taken, subscribed, and sworn or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Judge/Clerk/Notary Public

My commission expires on \_\_\_\_\_.