

Representative LaLonde –

I believe you asked me for the reference in Federal Code to my comment that under Federal law there is no Ex Parte – the defendant must be present.

My immediate response was 18 USC 922, and that has proven to be correct.

Please refer to USC Title 18, Part I, Chapter 44, § 922(d)(8).

Full text via Cornell Law School can be found [here](#).

I quote:

(d) It shall be unlawful for any person to sell or otherwise dispose of any [firearm](#) or [ammunition](#) to any person knowing or having reasonable cause to believe that such person—

(1)-(7)...

(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an [intimate partner](#) of such person or child of such [intimate partner](#) or person, or engaging in other conduct that would place an [intimate partner](#) in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

(B) (i) includes a finding that such person represents a credible threat to the physical safety of such [intimate partner](#) or child; or

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such [intimate partner](#) or child that would reasonably be expected to cause bodily injury; or