

9-614. Order on direct civil contempt.

[For use with Magistrate Court Rule 2-110 NMRA]

STATE OF NEW MEXICO
COUNTY OF _____
IN THE MAGISTRATE COURT

v. _____ No. _____

&

In the Matter of the Direct Civil Contempt of
_____, Contemnor.

ORDER ON DIRECT CIVIL CONTEMPT¹

This matter came before the Court on _____ (*month/day/year*).
_____ was represented by _____ (*name and title*).
_____ was present [pro se] [represented by _____, Esq.]
(*name of attorney*).

THE COURT FINDS that the contemnor, in the presence of this Court

(*State the action which constitutes direct civil contempt.*)² The Court finds that the contemnor committed direct civil contempt of this Court. Furthermore, this order shall be in effect until such time as the following condition(s) have been met:

THE COURT HEREBY ORDERS: _____

(*Specify remedial action required.*)

THE COURT HEREBY ORDERS the contemnor shall pay the following fines and court

costs: _____

Date

Judge

USE NOTE

1. See NMSA 1978, § 35-3-9 (1991) on contempt. See *City of Bernalillo v. Aragon*, 100 N.M. 547, 673 P.2d 831 (Ct. App. 1983) regarding direct contempt. See *State v. Diamond*, 94 N.M. 118, 607 P.2d 656 (Ct. App. 1980) regarding indirect contempt. See Rule 5-902 NMRA for a discussion of contempt.

2. Include a full statement of the facts, including any warnings given to contemnor.

[As approved by Supreme Court Order No. 09-8300-037, effective November 16, 2009.]