

9-615. Order on indirect 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 Indirect Civil Contempt of

_____, Contemnor.

ORDER ON INDIRECT 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*).

A hearing was held and sufficient evidence offered so as to satisfy the conscience of the Court that the contemnor committed indirect contempt by _____

_____ (*State the action which constitutes indirect civil contempt.*)² THE COURT FINDS that the contemnor is guilty of indirect 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 *State v. Diamond*, 94 N.M. 118, 607 P.2d 656 (Ct. App. 1980) regarding indirect contempt. See *City of Bernalillo v. Aragon*, 100 N.M. 547, 673 P.2d 831 (Ct. App. 1983) regarding direct 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 adopted by Supreme Court Order No. 09-8300-037, effective November 16, 2009.]