INSTRUCTIONS FOR COMPLETING THE AFFIDAVIT AND MOTION FOR BENCH WARRANT AND COMMITMENT TO ISSUE
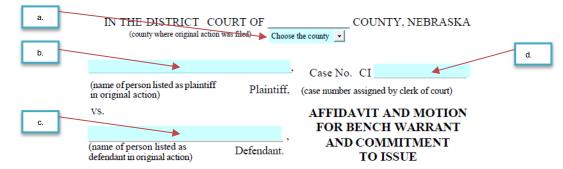## (Property Settlement or Alimony)

If you are printing the Application and handwriting the answers, you will check the first box. If you are typing in your answers, you will check the second box.

☑ Printing the form and handwriting the answers.

☐ Completing the form electronically.

HEADING

The heading on this pleading should be the same as the heading in the original case. The case number will also be the same.
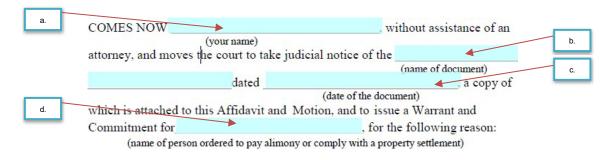
a. Enter the name of the county where the original case was filed.
b. Enter the name of the plaintiff exactly as listed in the original case.
c. Enter the name of the defendant exactly as listed in the original case.
d. The clerk of the district court assigned a number when the original case was filed. You must include that case number on any papers you file, including this Motion for Bench Warrant.

a.

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
(county where original action was filed) → Choose the county ▾

b.

d.

_____ , Case No. CI _____
(name of person listed as plaintiff in original action)   Plaintiff,   (case number assigned by clerk of court)

vs.

c.

_____ ,
(name of person listed as defendant in original action)   Defendant.

AFFIDAVIT AND MOTION FOR BENCH WARRANT AND COMMITMENT TO ISSUE

BODY OF AFFIDAVIT AND MOTION FOR BENCH WARRANT

a. Enter your name.
b. Enter the name of the document you are asking the court to review.
c. Enter the date the document.
d. Enter the name of the person who was ordered to pay alimony or comply with the terms of the previously ordered property settlement.
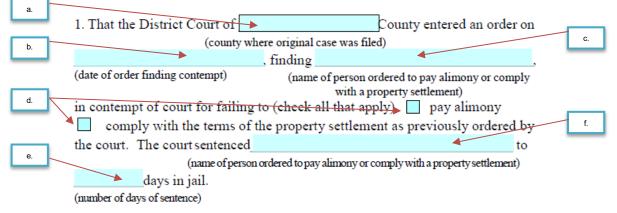
This paragraph does not have a number.

a.

COMES NOW _____ . without assistance of an
(your name)

b.

attorney, and moves the court to take judicial notice of the _____
(name of document)

c.

_____ dated _____ , a copy of
(date of the document)

d.

which is attached to this Affidavit and Motion, and to issue a Warrant and
Commitment for _____ , for the following reason:
(name of person ordered to pay alimony or comply with a property settlement)

The numbers below give instructions for completing the paragraphs with the same numbers in the Affidavit and Application for Order to Show Cause:

Paragraph 1. a. Enter the name of the county where the original case was filed.
b. Enter the date the judge signed the order finding the other party in contempt.
c. Enter the name of the other party.
d. Check the box for "pay alimony" or "comply with the terms of the property settlement to show what type of Order of Contempt was issued.
e. Enter the name of the other party.
f. Enter the number of days the person was sentenced in the contempt order.

a.

1. That the District Court of _____ County entered an order on
(county where original case was filed)

b.

_____, finding _____.
(date of order finding contempt)

c.

(name of person ordered to pay alimony or comply with a property settlement)

d.

in contempt of court for failing to (check all that apply) ☐ pay alimony
☐ comply with the terms of the property settlement as previously ordered by

f.

the court. The court sentenced _____ to
(name of person ordered to pay alimony or comply with a property settlement)

e.

_____ days in jail.
(number of days of sentence)

Paragraph 2. a. Enter the name of the person ordered to pay alimony or comply with the terms of the property settlement.

a.

2. That the district court allowed _____ the
(name of person ordered to pay alimony or comply with a property settlement)
opportunity to purge his/her contempt by:

b. check the box that corresponds to the purge plan in the Order of Contempt. This is the order that the judge filled out after the contempt hearing, ordering a sentence with purge plan.

i. For alimony contempt,
a) Enter the amount of the payments.
b) Enter how many months the payments were to continue.
c) Enter the name of the person ordered to pay the alimony.

a)

b)

☐ Paying the sum of _____ per month for _____ months, until

c)

which time the alimony is current. _____ has failed to
(name of person ordered to pay alimony)

ii. For property settlement contempt,
a) enter the terms of the purge plan the judge listed in the Order of Contempt on the lines provided.

a)

☐ Complying with the property settlement by:
_____
_____

Paragraph 3.   a.   Enter the name of the person ordered to comply with these terms

a.

3. _____ has failed to follow the terms of the
(name of person ordered to pay alimony or comply with a property settlement)
purge plan.

CLOSING PARAGRAPH (Beginning with "WHEREFORE")

a. In the blank, enter the name of the other party.

a.

WHEREFORE, affiant respectfully requests the court issue a warrant for the arrest
of _____.
(name of person ordered to pay alimony or comply with a property settlement)

FINAL SIGNATURE

a. DO NOT SIGN THE AFFIDAVIT AND APPLICATION UNTIL YOU ARE BEFORE A NOTARY PUBLIC.

b. Enter the date.
c. Print your name.
d. Enter your full street address.
e. Enter your city, state, and ZIP code.
f. Enter your telephone number, including the area code.
g. Enter your email address, if any.

a.

c.

f.

b.

d.

e.

g.

Signature: _____ Date: _____
Printed Name: _____
Street Address/P.O. Box: _____
City/State/ZIP Code: _____
Telephone Number: _____
Email address: _____

Notary Section will be completed by a Notary Public.

Instructions for Completing the Affidavit and
Motion for Bench Warrant and Commitment to Issue