

**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 CONTEMPT<sup>1</sup>**

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.*)<sup>2</sup> 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 NOTES

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.]