

MOTION TO ENFORCE ORDER & REQUEST FOR HEARING

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4A-209. Motion to enforce order.

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT

_____,
Petitioner,

v.

No. _____

_____,
Respondent.

MOTION TO ENFORCE ORDER

Petitioner (or) Respondent states:

1. I am filing this motion regarding the following order(s) issued by the court:
(check the order(s) that you are seeking to have enforced and complete the additional information required)

Name of Order:	Section/Paragraph/Page # that you believe is not being followed	Date of order
_____ Temporary Domestic Order	_____	_____
_____ Interim Order	_____	_____
_____ Custody Plan and Order	_____	_____
_____ Child Support Obligation and Order	_____	_____
_____ Final Decree (adopting Marital Settlement Agreement)	_____	_____
_____ Default Final Decree	_____	_____
_____ Domestic Violence Order of Protection	_____	_____
_____ Other: _____	_____	_____
_____	_____	_____

2. The other party is not following the referenced sections/paragraphs of the order(s) in the following way(s): *(You should be very specific when completing the motion; tell the court what the court order says and what the other person is doing or not doing that is violating the order. State only serious violations and be as complete as possible.)*

A. _____
(Name of first order checked in Paragraph 1 above)

i. What the section/paragraph of the order says:

ii. What the other party is doing or not doing that is violating the order:

B. _____
(Name of next order checked in Paragraph 1 above)

i. What the section/paragraph of the order says:

ii. What the other party is doing or not doing that is violating the order:

(Use additional pages if necessary. Use the same format as above to tell the court what order you are talking about, what the order says, and what the other party is doing or not doing that is violating the order.)

3. I have tried to talk to _____ *(name of the other party or the other party's attorney if represented)*. This is what happened: *(You MUST check one of these boxes.)*

- The other party AGREES with my motion.
- The other party DOES NOT AGREE with my motion.
- The other party WILL NOT TALK TO ME about my motion.
- I CANNOT TALK TO THE OTHER PARTY because there is a protective order between us and the other party does not have a lawyer.
- I HAVE NOT TALKED TO THE OTHER PARTY because: _____

4. Petitioner (or) Respondent asks the Court to:

A. _____

B. Order the other relief deemed necessary.

5. **YES**, I understand that I must bring a copy of the order(s) listed in Paragraph 2 to the hearing.¹

Signature of Petitioner/Respondent pro se

Name (*print*)

Mailing address (*print*)

City, state, and zip code (*print*)

Telephone number

**YOU MUST FILL OUT THE INFORMATION BELOW AND YOU MUST
SERVE THE OTHER PARTY AS YOU TELL THE COURT BELOW**

VERIFICATION

I, _____, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Petitioner (or) Respondent in the above-entitled cause, and I know and understand that the contents of this Motion are true to the best of my knowledge and belief.

Signature of party

Date

VERIFICATION OF SERVICE

I affirm under penalty of perjury under the laws of the State of New Mexico that on _____ (*date*), I (*check the applicable item below and fill in all information*)

- mailed a copy of this motion by United States mail, postage prepaid, to:
Name: _____
Mailing address: _____
City, state, and zip code: _____;
- delivered a copy of this motion to _____ (*the other party or the other party's attorney*); or
- faxed a copy of this motion to _____ (*the other party or the other party's attorney*) using the following fax number: _____. The transmission was reported as complete and without error. The time and date of the transmission was _____ (a.m) (p.m) on _____ (*date*).

Signature of party

Date of signature

USE NOTE

1. If you do not have a copy of the order(s) listed in Paragraph 2, you may request one from the clerk's office. Standard copying fees may apply.
[Approved by Supreme Court Order No. 13-8300-010, effective for all pleadings and papers filed on or after May 31, 2013, in all cases pending or filed on or after May 31, 2013; as amended by Supreme Court Order No. 14-8300-011, effective for all pleadings and papers filed on or after December 31, 2014, in all cases filed or pending on or after December 31, 2014; as amended by Supreme Court Order 17-8300-017, effective for all pleadings and papers filed on or after December 31, 2017.]

**STATE OF NEW MEXICO
 COUNTY OF DOÑA ANA
 THIRD JUDICIAL DISTRICT COURT**

STATE OF NEW MEXICO/HSD, (if a Petitioner or Intervenor)

_____, **Petitioner,**

v. **Case No. D-307-DM-** _____
Judge: _____

_____, **Respondent.**

REQUEST FOR HEARING

(YOU MUST FILE THIS REQUEST TO GET A HEARING [COURT DATE] ABOUT YOUR MOTION)

1. I NEED A HEARING ABOUT: MY MOTION TO/FOR _____
(print on this line what you asked for in your motion)
 FINALIZING MY CASE (TRIAL ON THE MERITS)
2. I REQUEST INTERPRETATION SERVICES(CHECK ONE): YES NO
 IF YES, PLEASE DESCRIBE WHAT YOU NEED: _____
3. HOW LONG YOU THINK IT WILL TAKE TO TALK TO THE JUDGE: 15 MINUTES 30 MINUTES
 1 HOUR MORE THAN 1 HOUR
4. IS THERE A HEARING ALREADY SCHEDULED IN THIS CASE: No YES - WHEN? _____
5. (A, B OR C) TO CERTIFY THAT THIS REQUEST WILL BE DELIVERED TO ALL OTHER PARTIES: A - ON THE SAME DAY I FILE THIS REQUEST
 B - WITH MY MOTION
 C - WITH MY PETITION
6. LIST EVERYONE IN THIS CASE SO THE COURT CAN SEND THEM A NOTICE ABOUT THE HEARING DATE:

	OTHER PARTY OR THEIR LAWYER	ME	<input type="checkbox"/> HSD (<input checked="" type="checkbox"/>)
NAME		SEE SIGNATURE BELOW	HUMAN SVCS. DEPT.
ADDRESS		USE ADDRESS BELOW	653 UTAH AVE.
CITY/STATE/ZIP		USE ADDRESS BELOW	LAS CRUCES, NM 88001
TELEPHONE		USE TELEPHONE BELOW	524-6118

(SIGN YOUR NAME) _____

(PRINT YOUR NAME) _____

(YOUR MAILING ADDRESS) _____

(CITY/STATE/ZIP) _____

(YOUR TELEPHONE) _____



WHEN YOU FILE THIS REQUEST, YOU MUST GIVE THE CLERK STAMPED LETTER ENVELOPES FOR YOU AND FOR EACH PARTY/LAWYER. THE COURT USES THE ENVELOPES TO MAIL OUT THE COURT DATE.