

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

Use this form to tell the court the other party did not follow the instructions in the contempt order and purge plan, and to ask that a warrant be issued for their arrest.

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Choose the county from the drop-down list.

Enter the name of the plaintiff.

Enter the name of the defendant.

Enter the name of the document you are asking the court to review.

Enter the name of the other party.

Enter the date of the Order of Contempt.

Check all of the boxes that apply and enter the name of the other party.

Enter the number of days the other party was sentenced to.

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

Enter the case number.

Enter your name.

Enter the date of the Order of Contempt.

Enter the name of the county.

Enter the name of the other party.

Nebraska State Court Form  
DC 6:5.47 Rev. 07/2021

☒ Printing the form and handwriting the answers.  
☐ Completing the form electronically.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA  
(county where original action was filed) Choose the court: \_\_\_\_\_

Case No. CI \_\_\_\_\_  
(case number assigned by clerk of court)

(name of person listed as plaintiff in original action) Plaintiff  
vs.  
(name of person listed as defendant in original action) Defendant

**AFFIDAVIT AND MOTION FOR BENCH WARRANT AND COMMITMENT TO ISSUE**

COMES NOW \_\_\_\_\_, without assistance of an attorney, and moves the court to take judicial notice of the \_\_\_\_\_, dated \_\_\_\_\_, a copy of which is attached to this Affidavit and Motion, and to issue a Warrant and Commitment for \_\_\_\_\_, for the following reason:  
(your name) (name of document) (date of the document) (name of person ordered to pay alimony or comply with a property settlement)

1. That the District Court of \_\_\_\_\_ County entered an order on \_\_\_\_\_, finding \_\_\_\_\_, 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 the court. The court sentenced \_\_\_\_\_ to \_\_\_\_\_ days in jail.  
(county where original case was filed) (date of order finding contempt) (name of person ordered to pay alimony or comply with a property settlement) (name of person ordered to pay alimony or comply with a property settlement) (number of days of sentence)

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Enter the name of the other party.

Check all of the boxes that apply and describe what the judge required in the purge plan on the Contempt Order.

Enter the name of the other party.

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:

Check all that apply:

☐ Paying the sum of \_\_\_\_\_ per month for \_\_\_\_\_ months, until  
which time the alimony is current. \_\_\_\_\_ has failed to  
(name of person ordered to pay alimony)  
make the payments required by the purge plan.

☐ Complying with the property settlement by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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)

**SIGN IN FRONT OF NOTARY PUBLIC**

I hereby swear, or affirm, under penalty of perjury, that the above information is true.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Street Address/P.O. Box: \_\_\_\_\_

City/State/ZIP Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

Notary on next page.

Enter the name of the other party.

**DO NOT** Sign and date the form until a notary is there to witness. Enter your printed name, your address, telephone number, and your email address.

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A notary will complete this section WHEN they witness you signing the form.

Continued from previous page.

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

This document was acknowledged before me by \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, Notary commission expires: \_\_\_\_\_  
Signature of Judge/Clerk of the Court/Notary Public

Title: \_\_\_\_\_ Serial Number (if any): \_\_\_\_\_