

NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
____-CVD-____

_____,
Plaintiff,
v.
_____,
Defendant.

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**MOTION FOR AN ORDER
TO SHOW CAUSE AND
MOTION TO COMPEL
VISITATION (CNTP)
(MVIS) (CMPL)**

NOW COMES THE DEFENDANT, by and through counsel, seeking the Court for an Order to Show Cause for Plaintiff to show cause, if any there may be, why s/he should not be held in contempt of court, and in support of the same shows unto the Court the following:

1. An Order was entered on _____, 20___, dealing with certain matters of custody.
2. Paragraph ____ of the Order stated that Defendant shall have every other week of custody of the minor child, beginning _____, 20___, at _____ a./p.m. through the next _____ at _____ a./p.m. when the child returns to Plaintiff at _____ a./p.m. Defendant's weeks are _____, 20___, and _____, 20___.
3. On _____, 20___, the minor child, did not go to Defendant's home.
4. Paragraph ____ of the _____, 20___ Order provides that if the visits in Paragraph ____ do not occur, an Order to Show Cause may be entered on the next Monday following the Friday visit and be returned for the next day, Tuesday.
5. Plaintiff is in violation of the _____, 20___ Order by refusing to encourage the minor child to attend the visitation and by the minor child not attending the visitation.
6. Plaintiff's failure to abide by the terms of the _____, 20___ Order are willful violations of the Court Order.
7. Defendant is an interested party and has brought this action in good faith, and has had to incur reasonable attorney fees as necessary expenses of the enforcement of the _____, 20___ Order. S/he is without sufficient means to defray said expenses and is in need of assistance from Plaintiff in payment of reasonable attorney fees. Defendant requests that Plaintiff be required to pay reasonable attorney fees.

8. Defendant seeks an order to be entered holding Plaintiff in civil and/or criminal contempt of court for his/her failure to comply with the _____, 20__ Order, as well as a motion to compel the visitation set forth in the same.

WHEREFORE, Defendant prays that the Court:

1. Find Plaintiff in willful civil and/or criminal contempt of this Court for his/her failure to comply with the terms of the Order entered on _____, 20__, and issue an order requiring Plaintiff to show cause, if any there be, why s/he should not be held in willful civil and/or criminal contempt of this Court;
2. Grant Defendant reasonable attorney fees;
3. Grant Defendant's Motion to Compel Visitation; and
4. Grant Defendant such other and further relief as the Court may deem just and proper.

This ____ day of _____, 20__.

[Name of Law Firm]
Attorneys for Defendant

By: _____
[Name of Attorney]
For the Firm
NC State Bar # _____
[Address]
[Telephone]