

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI DADE COUNTY, FLORIDA

Case No.: 2011-21207-FC04
Division: FAMILY

MARIO ALBERTO JIMENEZ,

Petitioner/Former Husband,

and

KAREN WIZEL,

Respondent/Former Wife.

_____/

MOTION FOR CIVIL CONTEMPT/ENFORCEMENT

Respondent requests that the Court enter an order of civil contempt/enforcement against Petitioner in this case because:

1. An Ex-Parte Order Compelling Discovery was entered on November 3, 2014. (A copy of which is attached hereto as Exhibit A.)
2. Pursuant to this order of the Court the Petitioner/Former Husband was required to fully answer the Request to Produce dated September 18, 2014, within ten (10) days.
3. The other party in this case has willfully failed to comply with this order of the Court. The Former Husband has failed to fully comply with said Request to Produce. The Former Husband provided a partial response on or about November 13, 2014, the undersigned contacted Opposing Party requesting the outstanding documents, no response was received.
4. The Respondent has incurred additional attorney's fees in bringing forth this Motion, which, but for the wrongful actions of Petitioner would be unnecessary. Respondent is unable to pay said fees and Petitioner should be required to pay for same.

WHEREFORE, the Respondent respectfully requests that this honorable Court:

- A. Find the Petitioner in willful contempt of court.

- B. Order the Petitioner to immediately file and provide complete response to the Request to Produce dated September 18, 2014.
- C. Enforce the prior orders of the court by any means available, including, but not limited to, incarceration, compensatory or coercive fines, garnishment, suit money and costs, and any other coercive sanction or relief permitted by law.
- D. Award the Respondent attorney's fees for necessity of this motion and hearing.
- E. Grant such other relief as the court deems just and proper.

CERTIFICATE OF SERVICE

I certify that a copy hereof was delivered via electronic mail on this 9th day of February, 2015 to Mario A. Jimenez, at 12901 S.W. 66 Terrace Drive, Miami, FL. 33183.

Respectfully submitted,

Reyes Miller, P.L.

By: /s/

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IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Case No.: 2011-021207-FC-04
Division: FAMILY

MARIO ALBERTO JIMENEZ,

Petitioner/Father,

and

KAREN WIZEL,

Respondent/Mother.

EX-PARTE ORDER COMPELLING DISCOVERY

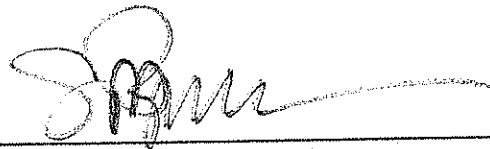
THIS CAUSE coming on to be heard upon the Motion for Ex- Parte Order Compelling Discovery, and this Court being of the opinion that this Order should be entered, it is thereupon:

ORDERED AND ADJUDGED as follows:

1. That the Petitioner is hereby ordered to fully answer the Request to Produce and comply with the Request for Production of Documents within 10 days of the date of this Order.

2. Petitioner shall pay the sum of \$ reserve ruling for attorney's fees to counsel for Petitioner within _____ days of this order for the necessity of bringing this matter before the Court.

DONE AND ORDERED in Chambers at Miami Dade County, Florida on the 3 day of Nov., 2014.


Mindy S. Glazer, Circuit Judge

Scott M. Bernstein
Circuit Court Judge

Copies to:

Mario A. Jimenez, Petitioner, 12901 S.W. 66 Terrace Drive, Miami, FL. 33183
Reyes Miller P.L., Counsel for Respondent, 901 Ponce de Leon Blvd. 10th floor Coral Gables, FL. 33134

Exhibit A