

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
LEE COUNTY, FLORIDA** **CIVIL ACTION**

, Petitioner
vs.
, Respondent

Case No.

WRIT OF BODILY ATTACHMENT

For failure to pay or appear after a "Pay or Appear" order

(Revised 5/4/06 - RTC)

TO ALL AND SINGULAR THE SHERIFFS OF FLORIDA: You are hereby ordered to take into custody:

NAME:

ADDRESS:

DATE OF BIRTH: _____ **RACE:** _____ **SEX:** _____

HEIGHT: _____ **WEIGHT:** _____ **EYES:** _____ **HAIR:** _____ and to bring

this respondent within 24 hours before the First Appearance Judge in the county where the respondent is arrested and in no event may the respondent be held in custody for more than 48 HOURS after arrest on this writ without being brought before a judge for a hearing to determine the respondent's present ability to pay support at the time the respondent appears before the judge.

Service and execution of this writ may be made on any day of the week and at any time of the day or night.

The sheriff executing this writ or having custody of the respondent may assess and collect from the respondent the actual cost associated with the service of this writ and the transportation of the respondent to the court as ordered herein, pursuant to §61.11(2)(a), if he has the present ability to pay the cost.

A prior order has been entered in this case ordering the respondent to pay support and also to pay the support by a certain time each week or appear at a scheduled hearing to explain why the support was not paid. The respondent did not pay or appear as ordered. Therefore, this writ for the respondent's arrest has been entered.

At First Appearance the First Appearance judge shall conduct a hearing to determine whether the respondent has the present ability to pay support. Upon the issuance of this writ the court finds the respondent has the ability to pay the current support payment, \$ _____, and at First Appearance the judge shall determine if the respondent has the present ability to pay that amount. **If the respondent does have the immediate, present ability to pay that amount or any lesser amount, the respondent shall be held in jail until it is paid. If the respondent does not have the immediate, present ability to pay that amount or any lesser amount the respondent must be released from custody.**

Upon receipt of any payment toward the support, the sheriff's office receiving payment must give the respondent with a written receipt for the payment, which the respondent should carry for at least 30 days. A sheriff receiving such payment shall forward the funds to the sheriff who entered the information about this writ into the Florida Crime Information Center system and who shall forward the funds to the Clerk of Court who shall pay it to the Florida Support Disbursement Unit, P.O. Box 8500, Tallahassee, FL 32314-8500.

ORDERED, this _____ day of _____, _____ Lee County, Florida.

Circuit Judge

It is further ordered that the Clerk of Court shall certify mailing and deliver of copies of this Writ to the persons named in the Certificate of Service set forth below.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Order was furnished by regular U.S. mail this _____ day of _____, _____, to: (1) Respondent, or counsel if represented; (2) Petitioner, or counsel if represented; (3) Lee County, Clerk of Court, Child Support Division; (4) Two (2) CERTIFIED copies to the Sheriff of the county where the respondent resides for service on the respondent.

Charlie Green, Lee County Clerk of Court

By: _____
Deputy Clerk