

IN THE CHANCERY COURT OF COUNTY, MISSISSIPPI

PLAINTIFF

VERSUS

CIVIL ACTION NO.

DEFENDANT

MOTION FOR MODIFICATION AND  
MOTION TO CITE DEFENDANT IN CONTEMPT

COMES NOW , Plaintiff, by and through counsel, who files this his/her Motion for Modification and his/her Motion to cite the Defendant in Contempt, in the above styled cause, and for said cause of action would show unto the Court the following, to-wit

1. That the Plaintiff is an adult resident citizen of County, Mississippi, who resides at , Mississippi.

2. That the Defendant is an adult resident citizen of County, Mississippi who may be served with process of this Court at his/her residence of , , Mississippi or at his/her employment at the , , Mississippi.

3. That the parties were once husband and wife forever and finally divorced both one from the other Judgment of this Court dated , .

4. and were by Final the home of the parties was vacated by the Defendant and remains vacant.

5. That since the Defendant had removed himself/herself from the marital domicile, the Plaintiff felt it necessary to move back into the marital domicile, thereby avoiding paying rent on and also making the mortgage payment on the domicile while it stood empty.

6. That the Defendant, finding out that the Plaintiff was going to move back into the marital domicile, had the utilities turned off, and the Plaintiff has failed to get the Defendant to have the utility services restored. That the Plaintiff has tried to resolve this matter for months without the necessity of filing suit but has failed to do so.

7. That Plaintiff prays that this Honorable Court will allow him/her to move back into the marital domicile, allowing him/her to have the use and possession of same until such time as the home should sell, and allowing Plaintiff to have the utility services restored.

8. That in addition to the above and foregoing, the Defendant has refused to allow the Plaintiff his/her regular court approved visitation. That Plaintiff went to pick up the children on the weekend of , that being his/her regular scheduled visitation weekend, and Defendant refused to allow the Plaintiff to have the children, all without any notification or good

reason. That Defendant should be found to be in contempt of this court for his/her failure to abide by the visitation terms of the Final Judgment rendered in this cause.

would enter its Judgment modifying the terms and conditions of the Final Judgment heretofore rendered in this cause to allow the Plaintiff to move into the marital domicile, and to have use and possession of same until such time as the home is sold, and that Plaintiff should be allowed to have the utilities on said home restored. That in addition, this court should hold the Defendant to be in willful contempt for his/her failure and refusal to allow the Plaintiff to exercise his/her court approved visitation. That Plaintiff should be awarded a reasonable attorney's fee and all costs incurred for having to file this action.

The Plaintiff prays for general relief.

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ATTORNEY FOR PLAINTIFF