

STATE OF INDIANA )  
 )SS:  
COUNTY OF SHELBY )

IN THE SHELBY SUPERIOR COURT NO. 2

CAUSE NO. 73D02\_\_\_\_\_

\_\_\_\_\_) )  
Plaintiff )  
 )  
-vs- )  
 )  
 )  
\_\_\_\_\_) )  
Defendant )

**MOTION FOR RULE TO SHOW CAUSE AND ORDER TO APPEAR**

Comes now the Plaintiff, in person or by counsel or representative, and after being duly sworn upon his oath, deposes and says.

1. That he/she is the Plaintiff/Claimant, or Counsel, in the above entitled cause.
2. That on \_\_\_\_\_, Judgment was entered against the Defendant in the sum of \$\_\_\_\_\_ plus costs. That \$\_\_\_\_\_ remains due and owing as of the below date.
3. That the Defendant was ordered to appear on \_\_\_\_\_, for a Proceeding Supplement Hearing or other hearing and that the Defendant failed to appear and comply with the Court Order to Appear. That the court should issue order for the judgment debtor to appear and show cause why they should not be held on contempt for failing to appear.

4. That Identifying information of the Defendant is as follows:

Full Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Hair Color \_\_\_\_\_ Eye Color \_\_\_\_\_

Height \_\_\_\_\_ Weight \_\_\_\_\_ lbs

Distinguishing Marks or tattoos \_\_\_\_\_

\_\_\_\_\_  
Driver's License Number \_\_\_\_\_

Social Security Number (Must Comply with Admin Rule 9) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

5. I affirm, under the penalties for perjury, that the foregoing representations are true.

\_\_\_\_\_  
Plaintiff or Attorney's Signature

\_\_\_\_\_  
Date

Note to all persons seeking a Rule to Show Cause:

This court requires personal service if the Judgment Plaintiff seeks a writ of attachment, bench warrant, or body attachment for failing to appear at a Rule To Show Cause Hearing. The court may issue a writ of attachment, bench warrant, or body attachment only if:

- (a) a rule to show cause has been issued by the court and served upon the judgment debtor by delivering a copy of the same to the judgment debtor personally. Personal service under this rule includes certified mail signed by the judgment debtor;
- (b) if service is not made in open court, the person making service has filed a return or affidavit stating that personal service was made upon the judgment debtor and setting forth the time, place, and manner thereof; and
- (c) the judgment debtor has failed to appear at the rule to show cause hearing as ordered.

In addition, the Judgment Plaintiff shall give the court sufficient information to identify the judgment debtor. Failure to provide sufficient information (name, dob, physical characteristics) will prohibit the court from issuing an attachment even if service was personal.

