IN THE CIRCUIT COURT OF THE ­­­­­­\_\_\_\_\_\_\_\_\_ JUDICIAL CIRCUIT,

IN AND FOR \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_\_\_\_\_\_\_\_

FAMILY DIVISION

, Petitioner,

and

, Respondent.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­­­­\_\_\_/

**EX PARTE MOTION FOR BREAK ORDER**

COMES NOW, the Petitioner, \_\_\_\_\_\_\_\_\_\_\_\_, by and through the undersigned counsel, and moves this Honorable Court to enter a break order, pursuant to Florida Statute 78.10, to permit Sheriff of \_\_\_\_\_\_\_\_\_\_ County, Florida to physically enter within and upon the Respondent’s residence located at \_\_\_\_\_\_\_\_\_\_\_\_\_ in order to execute and levy the Respondent’s property, to wit: a (vehicle description), VIN #\_\_\_\_\_\_\_, to satisfy the unpaid child support and/or alimony owed pursuant to the Final Judgment of Dissolution of Marriage entered by this Honorable Court on \_\_\_\_\_\_\_\_\_\_. In support, the Petitioner states as follows:

1. Respondent has a child support obligation pursuant to his/her Final Judgment for Dissolution of Marriage previously entered on \_\_\_\_\_\_\_. The monthly child support obligation is $\_\_\_\_\_\_\_\_. A copy of the Final Judgment of Dissolution of Marriage is attached for this Honorable Court’s ready reference as Exhibit A.
2. Respondent has failed to pay the child support obligation from \_\_\_\_\_\_\_\_ through \_\_\_\_\_\_\_. This results in \_\_\_\_\_\_\_ months of delinquency multiplied by the support obligation per month and a resulting arrearage of $\_\_\_\_\_\_\_\_.
3. The Respondent’s unpaid child support and/or alimony indebtedness to Petitioner is currently due and owing.
4. The Respondent is currently in possession of a (vehicle description), VIN #\_\_\_\_\_\_\_\_\_\_. A copy of the certificate of title and/or registration to said vehicle issued on \_\_\_\_\_\_\_ reflecting that the vehicle is located at \_\_\_\_\_\_\_\_\_\_\_\_ is attached as Exhibit B.
5. The aforementioned vehicle may be located at the Respondent’s residence, \_\_\_\_\_\_\_\_\_\_\_, behind a gate, fence, within a garage or otherwise within an enclosed area. Therefore, a break order is necessary to carry out the writ of execution and levy upon the subject vehicle.
6. Petitioner has retained the undersigned counsel and has agreed to pay to them a reasonable fee for their services for which Respondent should be liable for. Accordingly, Petitioner requests that Respondent reimburse undersigned counsel whom Petitioner retained for this matter in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Petitioner further requests an award of all taxable court costs.

WHEREFORE based upon the facts, authorities, and the record established to date, and given the outstanding child support obligation, Petitioner requests that this Honorable Court enter a break order to permit the Sheriff of \_\_\_\_\_\_\_ County, Florida to physically enter the Respondent’s residence located at \_\_\_\_\_\_\_\_\_ in order to levy the Respondent’s property, to wit: a (vehicle description), VIN #\_\_\_\_\_\_\_\_\_\_\_\_\_, to satisfy the unpaid child support and/or alimony owed pursuant to the Final Judgment for Dissolution of Marriage entered against the Respondent by this Honorable Court on \_\_\_\_\_\_\_\_\_. Petitioner also requests any other relief as may be just and proper and reasonable attorney’s fees and for costs.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Your Support Solution, P.A. d/b/a

Support Solutions

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