

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA**

IN RE: The Marriage of

LLOYD G. WICKBOLDT,

Petitioner,

CASE NO. 502010DR003810XXXXSB/ Div. FY

and

JULIE M. GONZALEZ,

Respondent.

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ORDER OF CIVIL CONTEMPT

THIS CAUSE came before the Court on June 7, 2016, upon the Court's Order to Show Cause entered May 13, 2016 (DE 259) and the undersigned Judge, having heard argument of counsel and testimony of Respondent, Julie M. Gonzalez, and being otherwise fully advised in the premises herein, it is,

ORDERED AND ADJUDGED as follows:

1. Petitioner's *ore tenus* Motion to Strike Respondent's Amended Residence and Homestead Affidavit (DE 275) is GRANTED and the Affidavit is hereby stricken. Respondent has been instructed by the Court both in its Order of May 18, 2016 and verbally that Respondent has legal counsel and shall not file anything with the Court on her own.

2. On May 10, 2016, Petitioner filed a Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, Sanctions and Enforcement of Judgment (DE 261) with an Affidavit of Petitioner's attorney setting forth Respondent's non-compliance with the Final Judgment of Dissolution (DE 181) and this Court's Order of May 2, 2016 (DE 258). The

Court entered the Order to Show Cause on May 13, 2016 (DE 259) setting this hearing for June 7, 2016.

3. Respondent, Julie Gonzalez is hereby adjudged to be in indirect civil contempt of Court for willfully failing to comply with the Final Judgment of Dissolution (DE 181) and this Court's Order of May 3, 2016 (DE 258). The Court finds that Respondent has not complied with Paragraph 9 of the Final Judgment of Dissolution, and this Court's Order of May 3, 2016 with regard to the sale of the Miramar property, located at 17103 SW 39th Court, Miramar, Florida 33027 ("Property"). Based upon Respondent's own testimony, her non-compliance has been willful and deliberate, and Respondent further testified that she will refuse to sign any papers in furtherance of completing the sale of the Miramar property, including the Listing Contract with the Court-appointed Realtor, David Rose, presented to her in Court by Petitioner's counsel.

4. Respondent shall sign the Listing Contract presented to her in Court by Petitioner's attorney within 24 hours of the conclusion of this hearing, by 12:00 p.m. on June 8, 2016. If the Respondent fails to properly execute the Listing Agreement, counsel for the Petitioner may file an Affidavit of Non-compliance. Upon receipt of the Affidavit of Non-compliance, the Court will review the Affidavit and the court file, and, under the Court's discretion, may issue a Writ of Bodily Attachment for the arrest and incarceration of Julie M. Gonzalez. If a Writ of Bodily Attachment is issued, Julie M. Gonzalez shall be taken into custody by the Sheriff of Palm Beach or Broward counties, and shall be confined in the county jail until such time as she purges herself of contempt by properly and legally executing the Listing Agreement, and serving the signed Listing Agreement upon counsel for the Petitioner, and filing with the Court.

5. Respondent shall thereafter fully comply with the Final Judgment of Dissolution and shall not hinder in any manner the sale of the Property, including allowing access to the Property for inspection by an appraiser, an inspector, the Court-appointed realtor, prospective purchasers, the Court appointed Receiver, and any other persons reasonably necessary to facilitate and finalize the sale of the Property with at least 3 hours' notice of the need to enter the Property. Respondent shall keep the Property clean and ready to show to prospective purchasers, and shall protect and preserve the value of the Property prior to sale. Respondent shall sign a Purchase Contract with purchasers who offer the appraised value of the Property or more, as determined by the appraisal, or a lesser amount if acceptable to Respondent. If the Respondent is not in full compliance with allowing access to the Property and executing such documents as necessary to finalize and close the sale of the Property, counsel for the Petitioner may file an Affidavit of Non-compliance. Upon receipt of the Affidavit of Non-compliance, the Court will review the Affidavit and the court file, and, under the Court's discretion, may issue a Writ of Bodily Attachment for the arrest and incarceration of Julie M. Gonzalez, or other relief. If a Writ of Bodily Attachment is issued, Julie M. Gonzalez shall be taken into custody by the Sheriff of Palm Beach or Broward counties, and shall be confined in the county jail until such time as she purges herself of contempt as directed by this Court.

6. The Court shall appoint a Receiver to facilitate, oversee and consummate the sale of the Property, under a separate Order, with the costs and fees incurred by the Receiver payable by Respondent, at closing, from Respondent's portion of the closing proceeds

7. Respondent shall pay Petitioner's attorneys' fees for the preparation for and attendance at the June 7, 2016 hearing, in the amount of \$1,400.00 (4 hours at \$350 per hour). If this amount is not paid to Petitioner's attorney, Anthony J. Aragona, III, prior to the closing of

the sale of the Property, any amounts outstanding shall be paid from Respondent's portion of the closing proceeds at closing.

8. It is further ORDERED AND ADJUDGED that this Court retains jurisdiction to tax attorneys' fees and costs and to enter such orders as are proper including a Writ of Bodily Attachment for the arrest of Respondent, Julie M. Gonzalez.

NOTICE TO RESPONDENT: FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.

DONE and ORDERED in Chambers at Palm Beach County, Florida this 14 day of

June, 2016.


DAVID E. FRENCH
CIRCUIT COURT JUDGE

Copies furnished to:

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