

## NOTICE OF HEARING

TO: **TIMOTHY J. GALLAGHER, ESQ.**

You will hereby take notice that the foregoing Citation to Appear and Show Cause will come on for hearing before Judge Park of the Stark County Probate Court, Stark County, Ohio, Stark County Office Building, 110 Central Plaza South, Suite 501, Canton, Ohio, 44702, on the 21<sup>st</sup> day of February, 2024 at 9:30 o'clock, a.m.

**PLEASE BE ADVISED THAT THIS WILL BE AN EVIDENTIARY HEARING AND THAT YOU WILL BE AFFORDED THE OPPORTUNITY AT THE ABOVE-MENTIONED DATE AND TIME TO PRESENT EVIDENCE ON YOUR BEHALF. THE MOVANT IS SEEKING TO HAVE YOU HELD IN CONTEMPT OF THIS COURT'S PRIOR ORDER.**

This Contempt Motion and Order are subject to the provisions of the Ohio Revised Code Chapter 2705, et seq. You have a right to be heard at this Hearing through yourself or Counsel. Pursuant to the Ohio Revised Code, you are notified of the following:

1. Your failure to appear at the Contempt Hearing may result in the issuance of an Order for your arrest and an issuance of an Order for the payment of expenses by withholding a limited amount from your personal earnings or by withholding or deducting an amount from some other asset of yours.
2. You have a right to Counsel and that, if you believe you are indigent, you must apply for a Public Defender or Court-appointed Counsel within three (3) business days after receipt of this Summons.
3. The Court may refuse to grant a continuance at the time of the hearing for the purpose of your obtaining Counsel, if you fail to make a good faith effort to obtain Counsel or to obtain a Public Defender.
4. If you are found guilty of contempt for failure to follow this Court's prior Order, you could be sentenced to:
  - a. For a first offense, a fine of not more than \$250.00, a definite term of imprisonment of not more than thirty (30) days in jail, or both;
  - b. For a second offense, a fine of not more than \$500.00, a definite term of imprisonment of not more than sixty (60) days in jail, or both;
  - c. For a third or subsequent offense, a fine of not more than \$1,000.00, a definite terms of imprisonment of not more than ninety (90) days in jail, or both.
5. The Court may also order the payment of costs, which may include the payment of the Movant's attorney's fees.