

**IN THE _____ COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL DIVISION**

STATE OF FLORIDA

CASE NO.: _____

vs.

DIVISION: _____

**DEFENDANT _____,
BOND COMPANY, AND BAIL AGENT,**

BOND POWER NUMBER(S):

Defendants.

_____ /

MOTION TO DISCHARGE FORFEITURE BEFORE JUDGMENT

(F.S. §903.26(5)(a) or (b))

Petitioner, _____, through the undersigned attorney, moves this court to discharge the forfeiture pursuant to Section 903.26(5)(a) or (b), Florida Statutes, and as grounds therefore alleges:

1. The bail agent did in fact post the following bond(s) for the above-named defendant:

<u>Charge</u>	<u>Amount</u>	<u>Power Number</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

2. That on _____, 20____, the defendant failed to appear, and this court forfeited said bond(s) on _____, 20____. A copy of the Notice(s) of Forfeiture is/are attached as Exhibit “_____.”

3. The forfeiture should be discharged because (check all that apply):

It was impossible for the defendant to appear on the scheduled court date due to circumstances beyond the defendant's control, to wit: _____

On _____, 20____, the defendant was adjudicated insane and confined to an institution or hospital. Proper documentation from the institution or hospital is attached as Exhibit “_____.”

On _____, 20____, the defendant was confined in the _____ (jail or prison), in _____ (city), _____ (state or country). Proper documentation from the jail or prison is attached as Exhibit “_____.”

4. Proof that the person in confinement is in fact the defendant is attached as Exhibit “_____.”

5. The defendant does / does not remain in confinement. Petitioner agrees to pay all costs associated with returning the defendant to Hillsborough County. Documentation from the holding facility showing that the defendant is in custody and that a hold has been placed on him/her for Hillsborough County is attached as Exhibit “_____.”

6. That this motion is filed within sixty (60) days after the forfeiture order/notice was mailed.

WHEREFORE, the petitioner prays that this court grant said motion, and discharge the Order of Forfeiture, subject to the payment of costs.

Dated: _____

Attorney Signature
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished to State Attorney’s Office, Hillsborough County Courthouse Annex, 800 East Kennedy Blvd., Tampa, Florida 33602, and Clerk’s Legal Counsel at P.O. Box 1110, 601 East Kennedy Boulevard, 13th Floor, Tampa, Florida 33601, through the e-filing portal by e-service on this the ___ day of _____, 20____.

Attorney Signature