

**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 RECALL CAPIAS, VACATE FORFEITURE AND REINSTATE BOND  
(Procedural or Due Process Grounds)**

Defendant, \_\_\_\_\_, through the undersigned attorney, moves this court to recall capias, vacate bond forfeiture(s) and reinstate bond(s), 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 said bond(s) were forfeited on \_\_\_\_\_, 20\_\_\_\_, and a capias was issued for the Defendant. A copy of the Notice(s) of Forfeiture is/are attached as Exhibit "\_\_\_\_."

3. The factual basis and legal authority in support of vacating the bond forfeiture is:

The defendant did not appear because the clerk never served the defendant and/or the bail agent with notice of the court hearing date on \_\_\_\_\_, 20\_\_\_\_.

Other, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**WHEREFORE**, the petitioner, \_\_\_\_\_, prays that this court grant said motion, recall the capias, discharge the Forfeiture, reinstate the bond, and schedule a new court date for the defendant.

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, 13<sup>th</sup> Floor, Tampa, Florida 33601, through the e-filing portal by e-service on this the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Attorney Signature