

**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 BOND  
AGENT,**

**BOND POWER NUMBER(S):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Defendants.**

\_\_\_\_\_ /

**MOTION TO DISCHARGE FORFEITURE BEFORE JUDGMENT**  
[Section 903.26(5)(c), Florida Statutes]

Petitioner, \_\_\_\_\_, through the undersigned attorney, moves this court to discharge the order of forfeiture pursuant to section 903.26(5)(c), Florida Statutes, and as grounds therefore alleges:

1. The bail bond 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) was/were forfeited on \_\_\_\_\_, 20\_\_\_\_. A copy of the Notice(s) of Forfeiture is/are attached as Exhibit “\_\_\_\_\_.”

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

On \_\_\_\_\_, 20\_\_\_\_, the bail bond agent surrendered the defendant to the Hillsborough County Jail as per the attached Certificate of Commitment and Hillsborough County Sheriff’s Office Affirmation marked as Composite Exhibit “\_\_\_\_\_.”

On \_\_\_\_\_, 20\_\_\_\_, the defendant was arrested within Hillsborough County and booked into the Hillsborough County Jail, as per the attached Hillsborough County Sheriff’s Office Affirmation marked Exhibit “\_\_\_\_\_.”

On \_\_\_\_\_, 20\_\_\_\_, the defendant was arrested or surrendered in \_\_\_\_\_ (county/state/federal jail or prison)(select one), and a hold was placed to return the defendant to the jurisdiction of this court. The attached facility’s Affirmation is marked as Exhibit “\_\_\_\_\_.”

On \_\_\_\_\_, 20\_\_\_\_, the defendant was arrested or surrendered in \_\_\_\_\_ (county/state/federal jail or prison)(select one), and was allowed to post a new bond at the location of arrest. A copy of the facility's Affirmation demonstrating defendant was released on a new bond and the Certificate of Commitment (for surrender and not arrest) are marked as Composite Exhibit "\_\_\_\_."

4. That defendant's surrender or arrest occurred on \_\_\_\_\_, 20\_\_\_\_, which was at the time of the required appearance; or on \_\_\_\_\_, 20\_\_\_\_, which was within \_\_\_\_ days after the date of the required appearance.

5. Transportation costs (select one):

Have been paid in the amount of \$\_\_\_\_\_ for reimbursement of the Hillsborough County Sheriff's Office for expenses incurred in the return of the defendant to Hillsborough County.

Payment has been forwarded to the Hillsborough County Clerk of Circuit Court; or a copy of the receipt of payment is attached as Exhibit "\_\_\_\_."

Have not been paid and Petitioner agrees to pay transportation costs within 20 days of the defendant being returned to Hillsborough County.

No transportation costs will be due and owing because the defendant posted a new bond at the location of arrest.

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

**WHEREFORE**, the bail bond agent prays that this court grant said motion and discharge the Order of Forfeiture, subject to the payment of state and local assessments authorized by sections 938.01(1) and 943.25, Florida Statutes, and any costs to the State, Sheriff and Clerk recoverable in accordance with chapter 903.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney Signature  
Printed Name: \_\_\_\_\_  
Florida Bar Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing document has been furnished to the State Attorney's Office at mailprocessingstaff@sao13th.com and the Clerk's Legal Counsel at legalbailbonds@hillsclerk.com, through the e-filing portal by e-service on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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