

**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)(a) or (b), Florida Statutes]**

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 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 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:

A. Under section 903.25(5)(a), Florida Statutes:

It was impossible for the defendant to appear on the scheduled court date due as required, or within 60 days after the date of the required appearance, due to circumstances beyond the defendant's control, to wit: _____

B. Under section 903.25(5)(b), Florida Statutes:

I. The defendant's confinement 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.
- II. The forfeiture should be discharged because (check all that apply):
 - On _____, 20____, the defendant was confined in _____ (an institution or hospital). Proper documentation from the institution or hospital is attached as Exhibit “_____.”
 - On _____, 20____, the defendant was confined to _____ (a county/state/federal/immigration detention facility)(select one). Proper documentation from the detention facility is attached as Exhibit “_____.”
 - Defendant was deported on _____, 20____. Proper documentation from the detention facility is attached as Exhibit “_____.”
 - Defendant was deceased on _____, 20____. Proper documentation of the defendant’s death is attached as Exhibit “_____.”

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

WHEREFORE, the petitioner 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