

Cause No. _____

State of Texas	§	In the _____ Judicial District Court
	§	
v.	§	In the County Court at Law No. _____
	§	
_____	§	Travis County, Texas
Defendant	§	

**MOTION AND AFFIDAVIT OF SURETY FOR WARRANT OR CAPIAS
PURSUANT TO ARTICLE 17.19 OF THE CODE OF CRIMINAL PROCEDURE**

State of Texas)
County of Travis)

Before me, the undersigned notary public, on this day personally appeared _____, known to me to be the person whose name is subscribed hereto, and upon his/her oath stated that the following information is true and correct:

“My name is _____. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am:

- An individual licensed to post bonds by the Travis County Bail Bond Board (dba _____);
- An agent for an insurance company licensed to post bonds by the Travis County Bail Bond Board (Name of insurance company: _____; agent’s dba _____);
- An attorney who posted a surety bond for a defendant I represent in the above-referenced case.

On or about _____, 20____, in that capacity, I posted a bond in the amount of \$_____ to secure the release from custody of Defendant, _____. The Defendant was charged with the offense of _____.

This bond is not the subject of a forfeiture, and no forfeiture proceeding is pending at this time.

I now wish to surrender the Defendant on the above bond. Pursuant to Article 17.19 of the Code of Criminal Procedure, I move the Court to direct the Clerk of the Court to issue a warrant or capias for the arrest of said Defendant.

I wish to surrender the Defendant for the following reason(s):

I have attempted to contact the Defendant as follows:

DATE & TIME	METHOD
_____	_____
_____	_____
_____	_____

This matter has been classified as a felony under the Penal Code. Prior to filing this motion, I notified the District Attorney of my intent to file this motion on the following date: _____ at _____ AM/PM by emailing TCDAPublic@traviscountytx.gov.

The Defendant does not have an attorney of record.

The Defendant's attorney is _____. The attorney's phone number is _____. On _____, 20____, I delivered a copy of this Motion and Affidavit to the attorney by the following method authorized by Rule 21a of the Texas Rules of Civil Procedure, as required by Article 17.19: _____." _____."

Surety/Affiant

Sworn to and subscribed before me on _____, 20____.

Notary Public In and For the State of Texas

Cause No. _____

State of Texas

§

In the _____ Judicial District Court

§

v.

§

In the County Court at Law No. _____

§

§

Travis County, Texas

Defendant

§

ORDER

On this day, came on to be heard the Motion and Affidavit of Surety for Warrant or Capias Pursuant to Article 17.19 of the Code of Criminal Procedure in the above-entitled and numbered cause. It is the order of the Court that:

- The Court did not find cause to issue the warrant or capias as requested, and said Motion is DENIED;
- The Court found cause to issue the warrant or capias as requested, and said Motion is GRANTED, and the Clerk of the Court is ORDERED to issue a warrant/capias for the Defendant's arrest and deliver said warrant/capias to the Sheriff of Travis County, Texas.

New bail is hereby set at \$_____.

SIGNED AND ENTERED on _____, 20____.

Presiding Judge