

Cause No. _____

THE STATE OF TEXAS § IN THE _____ COURT
VS. § OF
§ FORT BEND COUNTY, TEXAS

Defendant/Principal

AFFIDAVIT OF SURETY TO SURRENDER /APPLICATION FOR CAPIAS

On this day personally appeared the undersigned Surety/Movant who, on oath, states as follows (complete A or B only):

A.
 NO CAPIAS REQUESTED - DEFENDANT IN CUSTODY IN ANOTHER JURISDICTION
 The defendant/principal named above is charged in the Court and Cause Number set out above with the **FELONY / MISDEMEANOR** offense of _____; that the said charge is still pending in said court; that a surrender of said defendant/principal into the custody of the Sheriff of Fort Bend County, Texas, is sought; that the surety will remain liable until the following information is verified by the Fort Bend County Sheriff; that **NO BOND FORFEITURE HAS BEEN ORDERED IN THIS CASE**; and, that the defendant / principal is:
 Incarcerated in _____ County, Texas; **OR**,
 Incarcerated in Federal custody at the following location: _____, **OR**,
 Incarcerated in the custody of the State of _____. Location: _____.

B.
 CAPIAS REQUESTED - DEFENDANT NOT CURRENTLY IN CUSTODY
 The defendant/principal named above is charged in the Court and Cause Number set out above with the **FELONY / MISDEMEANOR** offense of _____; that the said charge is still pending in said court; that a surrender of said defendant/principal into the custody of the Sheriff of Fort Bend County, Texas, is sought; and, that **NO BOND FORFEITURE HAS BEEN ORDERED IN THIS CASE**. Further, that
 1. An appearance bond in the amount of \$ _____ was posted on _____, 20__ ;
 2. The fee paid: \$ _____;
 3. The defendant/principal's next appearance date: _____, 20__ at _____ ;
 4. The defendant/principal's physical description: Race _____ Sex _____ DOB _____ Height _____ Weight _____, Hair _____ Eyes _____ DL/ID#State _____, Defendant's most recent physical address, etc. _____, Identifying Marks/Tattoos _____ ;
 5. The cause for the surrender: _____
 Further,
 6. That the attorney for the above defendant/principal is _____ and I further certify that I have complied with the provisions of Article 17.19 CCP and Rule 21 Tex.Civ.Pro.; **OR**,
 7. That the defendant/principal is **NOT** represented by counsel in the above criminal cause.

Surety/Movant further states, on oath, that he/she has personal knowledge of the above facts and information and all such statements are true and correct.

Bonding Company Name (if applicable): _____ Telephone: (____) _____

Address (City, State and Zip Code): _____

Signature of Surety/Movant: _____

SWORN TO AND SUBSCRIBED before me, the undersigned authority on this the _____ day of _____, 20__.

Notary Public _____

District or County Clerk of Fort Bend County, Texas

My commission expires: _____

By: _____
Deputy Clerk

ORDER

The Court **DENIES** the Application for Capias for no good cause.

The Court **GRANTS** the Application for Capias for good cause shown and orders the Clerk of this Court to issue an alias capias for the defendant/principal and sets the new bond for said defendant at \$ _____. The surety will remain liable on this bond until defendant is taken into custody.

The Court **GRANTS** the Surety to Surrender, releasing Surety from liability regarding this cause. Previous Capias is already active for this defendant. Defendant is to be returned to Fort Bend County Sheriff's Office.

DATE: _____

JUDGE: _____