

Cause No. _____

STATE OF TEXAS.
Plaintiff

In the _____ Court of _____

Vs.

Fort Bend County, Texas

Defendant

&

Insurance Company
Defendants

AFFIDAVIT TO SURRENDER SURETY: ARTICLE 17.16

To the Honorable Judge of the Court:

Now comes _____, Insurance Company, Surety in the above styled and numbered cause, and pursuant to Art. 17.16. Code of Criminal Procedure, file this Motion and Affidavit of Surety for Discharge of Liability on Bond and Surrender of Principal before Forfeiture, and upon oath, and in support thereof would show the following:

_____, Defendant, has been charged with the offense of _____, in Cause # _____ . Said cause is currently pending before this Court.

_____, DBA _____, agent for _____ Insurance Company, posted a bond in the amount of \$ _____ on the Defendant's behalf on _____, 20___. This bond is not the subject of forfeiture and no forfeiture proceeding at this time.

Defendant is currently incarcerated in the following location:

_____. The incarceration can be verified at the following phone number: _____.

Surety hereby requests that the Sheriff of _____, County, Texas verify the incarceration of the Defendant, so that, pursuant to the Code of Criminal Procedure, Article 17.16 _____ Insurance Company may be relieved as surety on the defendant's bond in the above entitled and numbered cause.

Agent for and DBA

Name of Bonding Company and License # _____

Insurance Company

VERIFICATION OF SURETY

State of Texas
Fort Bend County

Before me the undersigned notary public, on this day personally appeared _____, Agent for _____, Insurance Company, known to me to be the person whose name is subscribed to the foregoing Motion and Affidavit and upon his/her oath stated that the information contained therein is true and correct.

Subscribed and sworn to before me on the _____ day of _____, 20__.

Notary Public for the State of Texas

(SEAL)

SHERIFF'S VERIFICATION OF INCARCERATION

The undersigned Deputy Sheriff of Fort Bend County, Texas, hereby verifies that _____, Defendant is in the custody of the following jurisdiction: _____, as of _____ o'clock AM/PM, on the _____ day of _____, 20__.

Deputy Sheriff, Fort Bend County, Texas

Cause No. _____

STATE OF TEXAS.

Plaintiff

Vs.

In the _____ Court of

Fort Bend County, Texas

Defendant

&

Insurance Company

Defendants

ORDER OF DISCHARGE OF SURETY

And

ORDER FOR ISSUANCE OF CAPIAS AND SETTING OF NEW BAIL AMOUNT

On this day the Court has reviewed the foregoing Affidavit of Surety for Discharge of Liability on Bond and Surrender of Principal before Forfeiture and attached verification of Sheriff. Pursuant to the provisions of the Code of Criminal Procedure, Article 17.16, the Surety, _____ Insurance Company, is hereby discharged and absolved of liability in this matter, except for reasonable and necessary expenses incurred in returning defendant into the custody of the Sheriff of Fort Bend County, for which surety is **ORDERED** to be held liable and to pay to the Clerk of the Court upon notice of said costs.

The Clerk of the Court is ordered to prepare and issue a capias for the arrest of the above listed Defendant. Bail is hereby set at \$ _____.

Signed this _____ of _____, 20____.

Judge Presiding