

**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)(d), Florida Statutes]**

Petitioner, \_\_\_\_\_, through the undersigned attorney, moves this Court to discharge the Order of Forfeiture in accordance with section 903.26(5)(d), 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 the State Attorney made a determination on \_\_\_\_\_, 20\_\_\_\_ that it is unwilling to seek extradition of the fugitive defendant. This determination occurred within 30 days from the bail bond agent’s request of the State to extradite the defendant, which was made to the State Attorney on \_\_\_\_\_, 20\_\_\_\_. Copy of the documentation establishing that the State is unwilling to extradite the defendant is attached as Exhibit “\_\_\_\_.”

4. That the bail bond agent agrees to pay all costs and the expenses incurred by an official in returning the defendant to the jurisdiction of this Court, up to the penal amount of the bond.

5. 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 costs 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