

BOOKING NO. _____

PREFILE NO. _____

THE STATE OF TEXAS

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IN THE MAGISTRATE COURT

v.

D.O.B.

WEBB COUNTY, TEXAS

**SURETY’S MOTION TO DISCHARGE SURETY BAIL BOND
FOR DELAY ON UNFILED CASE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, _____, surety in the above styled and numbered cause (“Surety”), and presents this Motion to Discharge Surety Bail Bond for Delay, and in support thereof, would respectfully show the Court as follows:

I. BACKGROUND

On or about _____, Surety posted a surety bail bond for Principal, _____ (“Principal”), under bond number _____ on a charge of _____ made by the _____ (arresting agency).

As of the filing of this Motion, more than 180 days have passed since Principal’s admission to bail and at no time has an indictment or information been presented on the charge.

THEREFORE, Surety requests that after notice and hearing, the surety bail bond posted herein for Principal _____ be discharged.

Respectfully submitted,

MOVANT

Name:

Phone number:

Fax Number:

Email address:

AFFIDAVIT

State of Texas §
County of Webb §

BEFORE ME, the undersigned Notary Public, on this day personally appeared _____, Surety, the Affiant, a person whose identity is known to me. After I administered the Oath to Affiant, Affiant testified:

1. My name is _____, Surety. 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.

2. On or about _____, I posted a surety bail bond for Principal, _____, under bond number _____ on a charge of _____ made by the _____ (arresting agency). As of the filing of this Motion, more than 180 days have passed since the Principal's admission to bail and at no time has an indictment or information been presented on the charge.

Affiant

SWORN TO and **SUBSCRIBED** before me on _____, 20____.

Notary Public in and for the State of Texas
My commission expires:

I hereby certify that a computer and manual search of the records of the County Clerk's Office reveal that more than 180 days have expired since defendant's arrest and that the charge has not been filed or indicted at any time since the posting of the bond.

By: _____ Date: _____
Deputy County Clerk
Margie Ibarra, Webb County Clerk

CERTIFICATE OF SERVICE

In keeping with Rule 21a of the Texas Rules of Civil Procedures, I hereby certify that a true and correct copy of the foregoing instrument has been served upon:

Attorney for the State:

District Attorney's Office
49th Judicial District
1110 Victoria Street, Suite 401
Laredo, Texas 78040
(956) 523-5054 (fax)

Attorney for Principal:

(address 1)
(address 2)
(city, state)
(fax)
(email)

Date: _____

Surety

BOOKING NO. _____

PREFILE NO. _____

THE STATE OF TEXAS

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IN THE MAGISTRATE COURT

v.

D.O.B.

WEBB COUNTY, TEXAS

**ORDER ON MOTION TO DISCHARGE SURETY BAIL BOND
FOR DELAY OF UNFILED CASE**

On this day, the Court heard Surety’s Motion to Discharge Surety Bail Bond for Delay. After consideration of the Motion, the evidence presented, and the arguments of the parties, the Court finds and rules as follows:

The Surety’s Motion is:

GRANTED _____ **DENIED** _____ **AGREED** _____ **WITHDRAWN** _____

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the surety bond posted for Principal, _____, on or about _____, 20____, for _____ **IS / IS NOT** discharged and the Webb County Sheriff, Webb County District Clerk, Webb County Clerk, Pretrial Services, and Webb County Bail Bond Board are hereby directed to update their records to reflect this ruling.

SIGNED on the _____ day of _____, 20____.

Judge Presiding

Agreed to by:

Attorney for the State