

CRIMINAL CAUSE NO. _____

THE STATE OF TEXAS
v.

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IN THE COUNTY COURT OF

Defendant/Principal

CHAMBERS COUNTY, TEXAS

17.16 AFFIDAVIT OF INCARCERATION

Now comes _____, Insurance/Bonding Company, Surety in the above styled and numbered cause, and pursuant to Art. 17.16, Code of Criminal Procedure, and files 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:

1. The court and cause number of the criminal case is set out above and is currently pending before said Court;
2. The name of the Defendant is _____;
3. The offense the Defendant is charged with is _____;
4. The date of the bond is _____ and the amount is _____;
5. The Defendant is currently incarcerated in the following location: _____;
6. The Defendant was incarcerated on the following date _____;
7. The facility contact phone number is _____; and
8. No nisi is currently pending regarding this bond.

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

Agent (SIGNED)

Insurance/Bonding Company

Agent (PRINTED)

License No.

Before me the undersigned notary public, on this day personally appeared _____ Agent for _____, 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

VERIFICATION OF SHERIFF

The undersigned Deputy Sheriff of Chambers 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 Clerk, Chambers County, Texas

CRIMINAL CAUSE NO. _____

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IN THE COUNTY COURT OF

Defendant/Principal

CHAMBERS COUNTY, TEXAS

**ORDER OF DISCHARGE OF SURETY AND
ORDER OF 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, _____, 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 Chambers 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.

Signed this the ____ day of _____, 20____.

Judge Presiding

NEW BOND AMOUNT: \$_____