

KELLY HIGGINS
Criminal District Attorney
Hays County Government Center
712 South Stagecoach Trail, Suite 2057
San Marcos, TX 78666
512-393-7600 FAX 512-393-7619
www.hayscountytexas.com

HOT CHECK DIVISION - FELONY INTAKE - OVER \$1,500.00

Before a check case can be forwarded to the felony division for intake, the complainant must provide a DETAILED STATEMENT containing the following information:

1. EVERYTHING THEY KNOW ABOUT THE PERSON WHO PASSED THE CHECK
 - how they first met the Defendant, through advertisement, personal reference, etc.
 - when they first met the Defendant
 - where they first met the Defendant
 - how long they have known the Defendant
2. PHYSICAL IDENTIFIERS OF THE DEFENDANT
 - Driver's License Number
 - Date of Birth
 - Age, sex, race
3. EVERYTHING SURROUNDING THE PASSING OF THE CHECK
 - what SPECIFICALLY/EXACTLY was the check in payment for
 - what discussions/negotiations, if any, surrounded the passing of the check
 - who accepted the check
 - who was present when the check was passed
4. ALL THE CIRCUMSTANCES SURROUNDING THE SUBSTANCE OF THE CONTRACTUAL AGREEMENT BETWEEN THE PARTIES
 - did the Defendant accept the merchandise/service from the complainant
 - did the Defendant ever return the merchandise or make any complaints about the merchandise/service
 - was the Merchant supposed to perform any work/service or deliver any merchandise in consideration of receiving the check
5. ALL THE CIRCUMSTANCES SURROUNDING THE MERCHANT'S ATTEMPT TO RECOVER THEIR MONEY
 - did they send a 10 day demand letter, CERTIFIED MAIL
 - did the Defendant respond in any manner... did he make partial payment or attempt to make a partial payment
 - has there been any communication between parties since the check bounced...i.e., did the Defendant promise to make restitution and then not deliver

*****ALSO ADVISE ALL MERCHANTS TO BRING ANY AND ALL PAPERWORK (COPIES) WITH THEM IN CONNECTION WITH THEIR CHECK CASES....CONTRACTS, WORK ORDERS, INVOICES, ETC.**