Cause/Agency Case No.:_____

ORIGINAL CHARGE:_____

THE STATE OF TEXAS	§ ☐ **FELONY**	**IN THE DISTRICT COURT**
	§	
v.	§	**_____ JUDICIAL DISTRICT**
	§	**_____**
_____	§ ☐ **MISDEMEANOR**	
	§	**IN THE COUNTY COURT**
	§	**AT LAW**
(D/O/B:_____)	§	**HAYS COUNTY, TEXAS**

AFFIDAVIT FOR SURETY TO OBTAIN A WARRANT

Art. 17.19. SURETY MAY OBTAIN A WARRANT. (a) Any surety, desiring to surrender his principal and after notifying the principal's attorney, if the principal is represented by an attorney, in a manner provided by Rule 21a, Texas Rules of Civil Procedure, of the surety's intention to surrender the principal, may file an affidavit of such intention before the court or magistrate before which the prosecution is pending. (c) If the court or magistrate before whom the prosecution is pending is not available, the surety may deliver the affidavit to any other magistrate in the county and that magistrate, on a finding of cause for the surety to surrender the surety's principal, shall issue a warrant of arrest for the principal.

State of Texas, County of Hays

Before me, the undersigned authority, on this day personally appeared licensed agent _____ of

d/b/a or corporation _____, who being duly sworn according to law, on oath states:

"I am of sound mind and capable of making this affidavit. I am personally acquainted with the facts stated in this Affidavit and they are true and correct of my own personal knowledge. I hereby state the following:

"As surety, I posted a bond in the amount of $_____ on the defendant's behalf on _____".

This bond is not the subject of a forfeiture and no forfeiture proceeding is pending at this time.

Pursuant to Article 17.19(a)(6) of the Texas Code of Criminal Procedure, I acknowledge and certify that principal's attorney, if the principal is represented by an attorney, HAS BEEN NOTIFIED in a manner provided by Rule 21a, Texas Rules of Civil Procedure. _____ (Agent's Initials)

I am submitting this affidavit pursuant to Code of Criminal Procedure, Article 17.19 and say that for the following reasons the court should find good cause to release surety. [*Details of reasoning to court*:]

_____

_____

_____

X _____

_____
(Printed name of licensed agent)

_____

_____
(Mailing address and phone number)

Subscribed and sworn to before me on the _____ day of _____, 20___ certify which witness my hand and official seal.

_____
Notary Public for the State of Texas

NOTARY STAMP

TX CCP 17.19(b) In a prosecution pending before a court, if the court finds that there is cause for the surety to surrender the surety's principal, the court shall issue a capias for the principal. In a prosecution pending before a magistrate, if the magistrate finds that there is cause for the surety to surrender the surety's principal, the magistrate shall issue a warrant of arrest for the principal.

Cause/Agency Case No.:_____

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	§	
v.	§	**_____ JUDICIAL DISTRICT**
	§	_____
_____	§ ☐ **MISDEMEANOR**	
	§	**IN THE COUNTY COURT**
	§	**AT LAW**
(D/O/B:_____)	§	**HAYS COUNTY, TEXAS**

ORDER FOR SURETY TO OBTAIN A WARRANT

On this day the Court has reviewed the foregoing Affidavit of Surety. Pursuant to the provisions of the Code of Criminal Procedure, Article 17.19 the Surety _____ D/B/A _____ has good cause to surrender the surety's principal.

The Court further finds that the Clerk of the Court is ordered to;

☐ ISSUE A CAPIAS for the purpose of taking the Defendant into custody [*if prosecution pending before a court*].

☐ ISSUE A WARRANT for the purpose of taking the Defendant into custody*[if prosecution pending before a magistrate]*.

☐ DENIED

Signed on this the _____ day of _____, 20___.

_____
Judge/Magistrate

Affidavit Reviewed and Approved by:

_____
Asst. Criminal District Attorney
Hays County, Texas