

CAUSE NO. _____

STATE OF TEXAS § **IN THE COUNTY COURT**

VS. § **OF**

_____ § **MADISON COUNTY, TEXAS**

AFFIDAVIT TO RELEASE SURETY

To the Honorable Judge of Said Court:

Comes now, _____ and respectfully shows to the Court that he/she is the surety on the appearance bond of the defendant in the above entitled and numbered cause, wherein the said defendant has been charged with the offense of _____, a misdemeanor and has been released on a bond in the sum of \$ _____, and your applicant would show the Court that the defendant is within the State of Texas and within the jurisdiction of this Court and that your applicant desires to surrender the said defendant to the Court and to be relieved upon the appearance bond herein.

Your applicant would further show that said bond was made on the _____ day of _____, 20____, and the defendant has paid a fee of \$ _____, and the reason for the surrender of the defendant is because:

Wherefore applicant prays the Court to direct the Clerk of this Court to prepare a warrant of arrest directing the Sheriff of Madison County, Texas or any other proper officer of this State to re-arrest said defendant and that upon such re-arrest the applicant herein be relieved of all further obligations and responsibility as surety upon said appearance bond.

Surety

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public, In and For the State of Texas

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Affidavit To Release Surety has been personally served upon the defendant's attorney of record _____ on this ____ day of _____, 20 ____.

(or)

I hereby certify that a true and correct copy of the foregoing Affidavit To Release Surety was mailed, by Certified Mail, Return Receipt Requested, to the defendant's attorney of record, _____ at _____ on this ____ day of _____, 20 ____.

(or)

After due inquiry, I certify that the said defendant is not represented by an attorney.

Surety

Copy To: County Attorney

ORDER

On this ____ day of _____, 20____, came on to be heard the application of _____, surety on the bond of the defendant herein, and the Court being of the opinion that such application should be granted, it is therefore Ordered, Adjudged, and Decreed by the Court that the Clerk be, and is hereby directed to prepare and issue a capias for the re-arrest of the defendant, and further that _____, surety upon the bond of the defendant, be, and is hereby relieved of all further responsibilities and obligations as surety upon said bond of the defendant herein of and from such time as the defendant shall be re-arrested under the warrant herein ordered, and after the payment by said surety of all necessary and reasonable expenses incurred in re-arresting said defendant.

Judge Presiding

New bond amount: _____