

Cause No. _____

THE STATE OF TEXAS

IN THE COUNTY COURT AT LAW NO.2

VS.

OF

SMITH COUNTY, TEXAS

MOTION FOR RELEASE OF CASH BOND

I, _____, do hereby request the court to release the Cash Bond in the amount of \$ _____ said bond was posted in the above styled and numbered cause. The said bond has never been forfeited and said Defendant has satisfied all conditions of the bond.

I understand in accordance with Art. 17.02 of the Code of Criminal Procedure that the refund must be made to the defendant. I release the Clerk from all liability and accountability hereof.

Art. 17.02- A "bail bond" is a written undertaking entered into by the defendant and his sureties for the appearance of the principal therein before some court or magistrate to answer a criminal accusation; provided, however, that the defendant upon execution of such bail bond may deposit with the custodian of funds of the court in which the prosecution is pending current money of the United States in the amount of the bond in lieu of having sureties signing the same. Any cash funds deposited under this Article shall be receipted for by the officer receiving the same and shall be refunded to the defendant if and when the defendant complies with the conditions of his bond, and upon order of the court.

I understand that pursuant to Sec. 117.055 of the Local Government Code the Clerk shall deduct an administrative fee of 5% of the bond but that the fee may not exceed \$50.

Sec. 117.055 (a) To compensate the county for the accounting and administrative expenses incurred in handling the registry funds that have not earned interest, including funds in a special or separate account, the clerk shall, at the time of withdrawal, deduct from the amount of the withdrawal a fee in an amount equal to five percent of the withdrawal but that may not exceed \$50. Withdrawal of funds generated from a case arising under the Family Code is exempt from the fee deduction provided by this section.

Defendant's Signature _____

Date _____

Address _____

Phone Number _____

Applicants Signature _____
(If different from defendant)

Date _____

Cause No. _____

THE STATE OF TEXAS

IN THE COUNTY COURT AT LAW NO. 2

VS.

OF

SMITH COUNTY, TEXAS

ORDER FOR RELEASE OF CASH BOND

On this day came on to be considered the Motion for Release of Cash Bond in the amount of \$ _____ in the above styled and numbered cause. The Court finds that the Cash Bond has never been forfeited and said Defendant has satisfied all conditions of said bond..

The Court hereby Orders the release of the Cash Bond to the defendant (Pursuant to Art. 17.02 Code of Criminal Procedure).

It is further ordered that the Clerk shall deduct from the amount of the Cash Bond a fee in an amount equal to five percent of the withdrawal not to exceed \$50 (Section 117.055 Local Government Code). The amount of the County Clerk's administrative fee in this cause is \$ _____.

Signed and entered this _____ day of _____ A.D., 20 _____.

SARA MAYNARD, JUDGE
County Court at Law No. 2
Smith County, Texas