

DOCKET NUMBER _____

STATE OF TEXAS
COUNTY OF DENTON
JUDGE MIKE OGLESBY
JUSTICE OF THE PEACE, PRECINCT FIVE

WORTHLESS CHECK AFFIDAVIT

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS: Before me personally appeared the affiant, who after being by me duly sworn, upon oath deposed and stated that said Affiant has good reason to believe and does believe that _____, hereinafter referred to as Defendant, on or about the _____ day of _____, 20____, in Justice Court , Precinct Five of Denton County, Texas, did intentionally and knowingly issue and pass to _____, an agent of _____, a check for the payment of money, and said Defendant did not have sufficient funds on deposit with the bank on which said check was drawn for the payment in full of the check, and all other checks and orders then outstanding. Said check being the tenor following:

FACT ABOUT THE ACCUSED

ADDRESS (HM) _____ CITY _____ STATE _____ ZIP _____

ADDRESS(WK) _____ CITY _____ STATE _____ ZIP _____

HOME PHONE _____ WORK PHONE _____ SEX: MALE / FEMALE RACE _____

DRIVER'S LICENSE # _____ STATE _____ DATE OF BIRTH _____

FACTS ABOUT THE CHECK

Was the check presented to the bank within 30 days of receipt? YES / NO
Was the accused sent notice of action by mail? YES / NO
What is your posted Merchant's Fee? \$_____.

MERCHANT _____ MAILING ADDRESS _____

CITY	STATE	ZIP	PHONE	
CHECK NUMBER	DATE WRITTEN	AMOUNT OF CHECK	HOW CHECK DISHONORED	PERSON WHO TOOK CHECK
_____	_____	\$ _____.	NSF / AC / STOP PAY	_____
_____	_____	\$ _____.	NSF / AC / STOP PAY	_____
_____	_____	\$ _____.	NSF / AC / STOP PAY	_____
_____	_____	\$ _____.	NSF / AC / STOP PAY	_____
_____	_____	\$ _____.	NSF / AC / STOP PAY	_____

NAME OF BANK: _____ ACCOUNT NUMBER: _____

I hereby swear or affirm that the above information is true and correct to the best of my knowledge; that said check(s) was not postdated or a hold check(s); that said check(s) was believed to have been good when it was accepted; and that said check(s) was presented to the bank for payment within 30 days after receipt; that proper identification was required on each check listed above; that notice has been sent for all checks listed above and more than 15 days has passed and restitution has not been paid; that I personally received said check(s) or that by virtue of my employment I have the authority to make this affidavit on behalf of the holder, the check(s) were passed in Precinct Five, Denton County, Texas; that I understand that if charges are filed a warrant will be issued for the accused who may be placed in jail.

AFFIANT SIGNATURE AND TITLE

AFFIANT PRINTED NAME

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20____.

NOTARY PUBLIC / COURT CLERK

ORDER

Based on the above affidavit and the facts in this case, I have made determination that probable cause exist and instruct the clerk to issue a warrant for the arrest of the Defendant.

Signed this the _____ day of _____, 20____.

Judge Mike Oglesby, Justice of the Peace, Pct. 5

NOTICE OF DEMAND

Date: _____

To: _____

This letter gives you official notice in accordance with Texas Penal Code Section 31.06 that the check number _____ on your account at the _____ Bank/Credit Union, in the amount of \$_____ dated _____ has been returned to me by this bank. This is a demand for payment in full for a check or order not paid because of lack of funds or insufficient funds. If you fail to make payment in full within 10 days after the date of receipt of this notice, the failure to pay creates a presumption for committing an offense, and this matter may be referred for criminal prosecution.

As authorized by Article 9022 Vernon's Civil Statutes you owe an additional \$30.00 processing fee.

TOTAL AMOUNT DUE: _____

Very truly yours,

MAIL RESTITUTION TO: _____
