

**DISTRICT COURT OF THE COUNTY OF SUFFOLK**

**First District**

People of the State of New York  
-against-

**Notice of Application and Motion for  
Remission of Bail Forfeited  
pursuant to CPL §540.30**

\_\_\_\_\_  
*Defendant*

Docket No. \_\_\_\_\_

PLEASE TAKE NOTICE that upon the annexed affidavits of

*Note: list the name or names of the people (like the person who posted the bail, and the defendant) who have signed sworn statements which are attached to and support this Notice of Application, and the date on which the statements were sworn - for example: John Doe, sworn to the fifth day of May, 2005.*

and upon all the proceedings heretofore had herein,

*Note: if the docket is still pending, the return date you enter below should be the next court date.  
Note: the date you enter as the return date of this application may be changed by the Court; if the date is changed you will be notified by mail of the new date (attach a self-addressed envelope for notification purposes)*

the undersigned will move this Court on the return date of \_\_\_\_\_, 20\_\_, at a motion term thereof to be held in the District Court Courthouse in Central Islip, New York, at nine o'clock in the forenoon of that day, or as soon thereafter as the movant can be heard,

for an order, pursuant to Section 540.30 of the Criminal Procedure Law, remitting the forfeiture of cash bail for the release of the defendant posted by \_\_\_\_\_, herein, in the sum of \_\_\_\_\_ (\$\_\_\_\_\_) Dollars, ordered by this Court on \_\_\_\_\_, 20\_\_

and for such other and further relief as to the Court may seem just and proper.

Yours, etc.,

Dated: Central Islip, New York  
\_\_\_\_\_, 20\_\_.

*sign =>* \_\_\_\_\_

*print name =>* \_\_\_\_\_

Defendant pro se  Defense Attorney  person who posted cash bail

*address =>* \_\_\_\_\_

*telephone =>* \_\_\_\_\_

TO: Thomas J Spota, Esq.  
Suffolk County District Attorney  
400 Carleton Ave  
Central Islip NY 11722

TO: Motion Clerk  
First District Court, Criminal Term  
400 Carleton Ave  
Central Islip NY 11722

DISTRICT COURT OF THE COUNTY OF SUFFOLK  
First District

People of the State of New York  
-against-

**Affidavit of Person Posting Cash Bail, in support  
of Application for Remission of Bail Forfeited  
pursuant to CPL §540.30**

\_\_\_\_\_  
*Defendant*

Docket No. \_\_\_\_\_

STATE OF NEW YORK }  
COUNTY OF SUFFOLK } ss.:

\_\_\_\_\_, being duly sworn, deposes and says:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, the above defendant was arraigned in District Court, Suffolk County and was charged with the offenses of \_\_\_\_\_.

That after the arrest of the defendant, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, I posted cash bail in the amount of \_\_\_\_\_ (\$\_\_\_\_\_) Dollars for his release, upon the condition that such money would become forfeit to the People of the State of New York if the defendant did not comply with the directions of the court requiring his attendance at this prosecution or did not otherwise render himself amenable to the orders and processes of the Court.

That I have now learned that the defendant was directed to appear on \_\_\_\_\_, 20\_\_, and that the defendant did not appear as directed, whereupon the Court ordered the aforesaid cash bail forfeited.

That the defendant subsequently appeared on \_\_\_\_\_, 20\_\_.

*Note: Below, specify the facts that the Judge should consider to grant your request to have the forfeited bail money returned to you - you might include why the defendant did not appear as directed (if you are not the defendant, you might include an affidavit from the defendant as to the reason for not appearing); and any exceptional circumstances (financial or medical problems, for instance); and how it is that the prosecutor suffered no prejudice or loss of rights; and references to additional affidavits or documentation, which will be attached to your application.*

That

