

NO. _____

THE STATE OF TEXAS	<input type="checkbox"/>	IN THE 46TH JUDICIAL
VS.	<input type="checkbox"/>	DISTRICT COURT OF
JOHN DOE	<input type="checkbox"/>	WILBARGER COUNTY, TEXAS

MOTION TO INCREASE BOND AND AMEND BOND CONDITIONS

THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas by and through her Assistant District Attorney, Jim Trotter, and files this Motion to Increase Bond and Amend Bond Conditions and would respectfully show the Court as follows:

I.

That the Defendant, John Doe, was arrested on or about the 1st day of December, 2018, in Wilbarger County, Texas for the felony offense of assault family violence impeding breath. The Defendant's bond was set at \$10,000 and he was subsequently released from jail on December 3, 2018. Defendant's Warning of Rights and Bond Conditions are attached hereto as Exhibit A. The conditions were signed and acknowledged by Defendant. The Defendant's bond conditions did not include a "no contact" provision with the alleged victim of the offense, Jane Doe.

II.

The State hereby alleges that the Defendant has violated his conditions of bond. Specifically, Defendant was arrested for the misdemeanor offense of terroristic threat on or about December 11, 2018, in Wilbarger County, Texas. The alleged victim of the offense was Jim Poe, father of the victim in this cause. A copy of the probable cause affidavit is attached hereto as Exhibit B. Defendant was again released after posting a \$1,500 bond. In addition, Defendant failed to report to the Community Supervision and Corrections Department by 10:00am on the day after he bonded out of jail on this matter as required by his conditions of release. He has yet to report to CSCD as required. A copy of the report from CSCD is attached hereto as Exhibit C.

III.

The State of Texas is requesting pursuant to Article 17.09 of the Texas Code of Criminal Procedure that the bail in this case be held insufficient and that such bail be increased. The defendant was previously convicted of misdemeanor assault family violence on the 7th day of January, 2016, in Cause No. 28,376 in Wilbarger County Court (against the same victim as in the current case), and felony possession of a controlled substance on or about the 20th day of February, 2015, in Cause No. 15,603, in the 46th Judicial District Court of Wilbarger County. Given the defendant's prior criminal history, the fact that he has been arrested again while on bond, and his lack of communication with the Community Supervision and Corrections Department, the State requests that Defendant's bond be increased to \$50,000.

The State further requests that Defendant's conditions of bail be amended to include a provision that he have no contact, either directly or indirectly, with Jane Doe, the victim of the offense.

IV.

WHEREFORE premises considered, the State requests that the Defendant be remanded to the custody of the Sheriff of Wilbarger County, Texas, with a bail amount of \$50,000 and a condition that he not have any contact with the victim.

Respectfully submitted,

Jim Trotter
Assistant District Attorney

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JOHN DOE	[]	WILBARGER COUNTY, TEXAS

ORDER ON STATE’S MOTION TO INCREASE BOND AND AMEND BOND
CONDITIONS

On this the _____ day of _____, 2019, the State’s Motion to Increase Bond and Amend Bond Conditions was presented to the Court. After considering the State’s motion, this Court is of the opinion that the current bond is insufficient and that the State’s Motion should be GRANTED.

It is therefore ORDERED, ADJUDGED, and DECREED that the Defendant’s current bond be revoked and that a warrant issue for his arrest until such time as he can satisfy the amended conditions of bond.

The defendant’s bond is increased to \$ _____ and the following additional conditions are imposed:

Signed on this the _____ day of _____, 2019.

 Judge Presiding