

NO. _____

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|---------------------------|--------------------------|--------------------------------|
| 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 |

State’s Motion to Revoke Bond and Deny Bail

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the State of Texas by and through her Assistant District Attorney, Jim Trotter, and files this Motion to Revoke Bond and Deny Bail and would respectfully show the following:

I.

The Defendant stands charged with the offense of Assault Family Violence with Previous Conviction alleged to have been committed in Wilbarger County, Texas, on or about the 12th day of June, 2018. The amount of bail was set at \$10,000 and Defendant was subsequently released from custody on the 15th of June, 2018. Defendant’s Warning of Rights and Bond Conditions are attached hereto as Exhibit A.

Defendant’s bond conditions contain a provision that prohibits him from initiating any communications with Jane Doe and from going within 200 yards of her, her residence, or her home.

II.

The State hereby alleges that on or about the 4th day of July, 2018, the defendant violated his conditions of bond in that he arrived at the victim’s home, pounded on the front door, and told the victim that he was going to “make her feel pain like never before” if she did not open the door. Defendant fled the scene prior to arrival of the police but was arrested later the same day for a violation of Texas Penal Code §25.07. He remains in custody.

III.

Pursuant to CCP art. 17.152, the State requests that defendant’s bond of \$10,000 be revoked and that no bond be set in this matter. Defendant’s bond condition prohibiting communications and contact with the victim was in place to ensure the safety of the victim. Defendant has demonstrated that he is a continuing threat to the Victim and, therefore, the State believes that no bond is a necessary and appropriate remedy.

WHEREFORE premises considered, the State prays that this Honorable Court order the District Clerk to issue the Defendant citation to appear before this Honorable Court at a time and place specified by the Court to show cause, if any he has, why said bond should not be revoked and bail denied.

Respectfully submitted,

Jim Trotter
Assistant District Attorney

**Certificate of Service
Order Setting Hearing**

NO. _____

THE STATE OF TEXAS [] IN THE 46TH JUDICIAL
VS. [] DISTRICT COURT OF
JOHN DOE [] WILBARGER COUNTY, TEXAS

ORDER ON STATE’S MOTION TO REVOKE AND DENY BAIL

On the ____ day of _____, 2019, came on to be heard the State’s Motion to Revoke and Deny Bail in the above entitled and numbered cause, and the State appeared through her Assistant District Attorney and the Defendant appeared in person and through his attorney of record, Jerry Gallo. The Court, having heard the evidence and arguments of Counsel, is of the opinion that the bond should be revoked in this cause.

The Court finds that the defendant, John Doe, is accused of the felony offense of assault family violence with previous conviction alleged to have occurred on or about the 12th day of June, 2018 in Wilbarger County, Texas.

The Court further finds that the Defendant has violated a condition of his bond conditions in that on or about the 4th day of July, 2018, Defendant appeared at Victim’s home, knocked on the door, and threatened her, thereby committing a crime. The Court further finds that the bond condition requiring Defendant to stay away from and have no contact with the victim was a condition related to the safety of the victim.

It is therefore, ORDERED, ADJUDGED and DECREED that the defendant’s bond of \$10,000 in this case, is hereby revoked.

It is further ORDERED, that Defendant is DENIED BOND.

Signed and entered this the ____ day of _____, 2019.

Judge Presiding