

APPLICATION FOR WRIT OF HABEAS CORPUS SEEKING BAIL REDUCTION

NO. [*____*]

STATE OF TEXAS § IN THE DISTRICT COURT

§

vs. § [*____*] JUDICIAL DISTRICT

§

DEFENDANT § COLLIN COUNTY, TEXAS

APPLICATION FOR WRIT OF HABEAS CORPUS SEEKING BAIL REDUCTION

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Defendant, defendant by and through his attorney of record, and makes this Application for Writ of Habeas Corpus Seeking Bail Reduction, and for good cause shows the following:

I.

Defendant is illegally confined and restrained of his liberty by the Sheriff of Collin County, Texas in the Collin County Adult Detention Center in [*____*], Texas in lieu of a bond in the amount of \$[*____*]. Defendant is charged with Driving While Intoxicated, [*____*] offense.

II.

Defendant's confinement and restraint is illegal because his bond is excessive, oppressive and beyond his financial means, in violation of the Eighth and Fourteenth Amendments to the United States Constitution, Article I, §§ 11, 13 and 19 of the Texas Constitution, and Articles 1.07 and 17.15 of the Texas Code of Criminal Procedure.

III.

Defendant respectfully requests this Court to grant defendant an evidentiary hearing and, after receiving evidence, to reduce the amount of said bond to a reasonable amount in order that defendant will have an opportunity to obtain his release from incarceration pending trial.

WHEREFORE, PREMISES CONSIDERED, defendant prays that this Court grant and issue a Writ of Habeas Corpus to the Sheriff of Collin County, Texas, directing and commanding him to produce and have defendant before this court instantler, or at such time and place to be designated by this Court, then and there to show cause, if any he may have, why defendant should not be discharged from such illegal confinement; or that defendant be allowed bail in a reasonable amount; and defendant further prays that he be allowed immediate bail in a reasonable amount, conditioned that he be and appear at the said hearing to there await further orders of this Court.

Respectfully submitted,

By:

State Bar No. [* ____*]

Attorney for Defendant, Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Application for Writ of Habeas Corpus Seeking Bail Reduction was hand delivered to the District Attorney's Office, at [* ____*], on May 29, 2001.