

All 3 pages of this form must be filed together.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA

AT _____

STATE OF ALASKA)
 MUNICIPALITY OF ANCHORAGE)
 CITY OF _____)
Plaintiff,)
 vs.)
 _____)
Defendant.)
 DOB: _____)

CASE NO. _____ CR

MOTION FOR REMISSION OF JUDGMENT OF FORFEITURE

*This motion can only be filed within **one year** after the date of the forfeiture judgment. Criminal Rule 41(h)(4) governs this procedure.*

Instructions: You must (1) complete pages 1 & 2; (2) attach a copy of the judgment of forfeiture; and (3) serve a copy on the prosecutor, defendant, and the person who posted/pledged security. You must sign this in front of a notary. A court clerk can notarize this for you at no charge. Bring a photo ID with you for the notarization. Note: If some or all of the forfeited bail was applied to restitution, that amount will not be remitted.

MOTION FOR REMISSION

I request remission of the forfeited bond in the amount of \$ _____ because:

- I assisted in returning the defendant to appear in this matter as explained in the affidavit below.
- Extraordinary circumstances exist as explained in the affidavit below.

HEARING. I do not request a hearing.
 I request a hearing in order to present evidence of the above.

AFFIDAVIT

I state upon oath or affirmation that the following facts are true to the best of my knowledge:

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Defendant's Name: _____ Case No. _____ CR

(AFFIDAVIT CONTINUED)

(Attach additional pages if necessary.)

Date	Signature of Person Filing Motion	Print Name	
	Mailing Address	City	State
	Work Phone	Home Phone	Cell Phone
			ZIP

Subscribed and sworn to or affirmed before me at _____, Alaska,
on _____, 20____.

(SEAL)

Clerk of Court, Notary Public or other person
authorized to administer oaths.
My commission expires: _____

I certify that on (date) _____ copies of this motion, affidavit and the judgment of forfeiture were sent to:

Prosecutor Defendant's Attorney _____

Defendant Bond Company or Person who posted/pledged security: _____

Signature of person serving motion: _____

Clerical Use Only

Part or all of the bail forfeited by this judgment was applied to restitution:

Yes. Amount \$ _____

No.

Clerk: _____

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Defendant's Name: _____ Case No. _____ CR

ORDER ON MOTION FOR REMISSION

- A hearing on the motion was held on _____.
- No hearing was held because no evidence has been presented that requires an evidentiary hearing or because sufficient evidence was presented in the motion.

IT IS ORDERED that the request for remission is:

- DENIED. The judgment remains in full force and effect. If not already paid, the judgment is due immediately. Reason for denial:
 - No evidence demonstrates that the defendant was returned with the assistance of the person who posted/pledged security.
 - No evidence demonstrates extraordinary circumstances allowing remission.
 - \$ _____ of the forfeited bail was applied to restitution as required by AS 12.30.075. Therefore, remission cannot be granted for the amount that was applied to restitution.

Additional Explanation: _____

- GRANTED as follows:
 - The entire judgment of forfeiture is remitted.
 - \$ _____ of the judgment is remitted. The remaining forfeited bail is not remitted because:
 - \$ _____ was applied to restitution as required by AS 12.30.075. Therefore, remission cannot be granted for the amount that was applied to restitution.
 - \$ _____ is ordered applied to the expenses incurred for enforcement of the forfeiture and for securing the defendant's return to custody.

The defendant or person who posted/pledged security is not required to pay the amount of the judgment that was remitted. Any amount previously paid shall be returned to the owner.

Date

Judge

Type or Print Name of Judge

I certify that on _____ a copy of this order was sent to:

- Defendant Defendant's attorney Prosecutor
- Bond company Surety company or person who posted/pledged security
- Criminal Dept. TCA or Bookkeeper
- AG/City Collections Unit with copy of original judgment of forfeiture

Clerk: _____