

CAUSE NO. _____

THE STATE OF TEXAS

§

IN THE COUNTY COURT

VS

§

AT LAW NO. 2 OF

§

§

HUNT COUNTY, TEXAS

§

PETITION FOR RELEASE BECAUSE OF DELAY PURSUANT TO CCP ART. 17.151

(Writ of Habeas Corpus)

Now comes _____, Applicant in the above entitled and numbered cause by and through his/her Attorney of record, _____, and files this Petition and would show:

Applicant was arrested on _____ for the offense of _____, a Class A or B Misdemeanor Offense. Applicant has been incarcerated for _____ days. Bond is currently set at \$_____ Cash or Surety or Cash only.

Applicant is being detained in the Hunt County jail pending trial of the aforesaid accusation against him/her for which the State of Texas is not ready for trial and:

The accusation against him/her is a misdemeanor punishable by a sentence of imprisonment in jail for more than 180 days, and Thirty (30) or more days from the commencement of his detention has elapsed.

OR

The accusation against him/her is a misdemeanor punishable by a sentence of imprisonment in jail for 180 days or less, and Fifteen (15) days or more from the commencement of his detention has elapsed.

The Applicant is NOT:

- i. Serving a sentence of imprisonment for another offense;
- ii. Being detained pending trial of another accusation as to which the applicable period has not yet elapsed;
- iii. Incompetent to stand trial, or
- iv. Being detained for a violation of the conditions of a previous release related to the safety of a victim of the alleged offense or to the safety of the community under Article 17 of the Code of Criminal Procedure.

Wherefore, Applicant prays that a writ of habeas corpus issue to have Applicant brought before this Court to the end that he/she be released from confinement upon posting a personal bond, or that the bond heretofore set to be reduced to an amount which the Applicant can make.

Attorney for Applicant