

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF)

IN CIRCUIT COURT
FIFTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, Plaintiff,) CHARGE(S) _____ FILE# _____
)
vs.) _____
)
_____, Defendant.) **ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE**

I. ORDER

PERSONAL RECOGNIZANCE _____ The defendant promises to appear at all scheduled hearings.

UNSECURED BOND _____ The defendant will execute a bond binding him/her to pay _____ County the sum of \$ _____ in the event he/she fails to appear as required.

10% DEPOSIT _____ The defendant will execute a bond binding him/her to pay _____ County the sum of \$ _____ and will deposit with the Clerk of Courts the sum of \$ _____, not being more than 10% of the amount of the bond.

CASH OR SURETY BOND _____ The defendant will execute a bond in the amount of \$ _____
_____ CASH ONLY (By the deposit of an equal amount of cash.)
_____ CASH/SURETY (May secure by the undertaking of sufficient sureties.)

I AGREE TO TAKE CUSTODY OF THE DEFENDANT AND TO SUPERVISE THE DEFENDANT AS SET FORTH BELOW. I FURTHER AGREE TO USE EVERY EFFORT TO ASSURE THE DEFENDANT'S APPEARANCE AT ALL SCHEDULED HEARINGS BEFORE THIS COURT AND TO NOTIFY THIS COURT IMMEDIATELY IF THE DEFENDANT VIOLATES ANY CONDITION OF HIS/HER RELEASE OR ATTEMPTS TO DISAPPEAR. **ALSO, I UNDERSTAND THAT ANY MONEY POSTED FOR BOND IS THE PROPERTY OF THE DEFENDANT AND WILL BE USED TO PAY THE DEFENDANT'S FINES, COSTS, COURT-APPOINTED ATTORNEY FEES, AND RESTITUTION.**

PRINTED NAME OF PERSON POSTING BOND

SIGNATURE OF PERSON POSTING BOND

II. CONDITIONS

1. That the defendant appears in Magistrate/Circuit Court for the above-named circuit as follows:
Time/Date: _____, __m., _____, 20__, at _____, SD.
2. That the defendant does not leave the above-named circuit without prior written permission or order of the Court, except in accordance with the orders or warrants of any other Court of competent jurisdiction.
3. That the defendant abides by any judgment entered in any matter by surrendering himself to serve any sentence imposed and obeys any order or direction in connection with such judgment as the court imposing it may prescribe.
4. That the defendant will not violate a state or federal law or municipal ordinance.
5. That the defendant will keep the court or his/her attorney, if represented by counsel, advised of his/her whereabouts at all times.
6. The defendant will also comply with each of the following conditions:
_____ No contact with alleged victim(s) _____
_____ No possession/consumption of alcohol or entering places that serve alcohol
_____ Random PBT's or UA's at Sheriff's Office
_____ Check in with Sheriff's Office daily at _____ am & _____ pm with / without PBT's
_____ May not operate motor vehicle
_____ Other: _____

BOND SET BY _____

PCN _____

ARREST DATE _____

DOB _____

III. FAILURE TO APPEAR

If the defendant appears as ordered and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void. If the defendant fails to obey or perform any of the conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any judge or magistrate having cognizance of the above-entitled matter at the time of such breach. If the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such Court of this State against each debtor jointly and severally for the amount above stated, together with interest and costs. Execution may be issued and payment secured as provided by the South Dakota Code of Criminal Procedure and other laws of the State of South Dakota.

It is agreed and understood that this is a continuing bond (including any proceedings on appeal or review) which shall continue in full force and effect until such time as the undersigned is duly exonerated.

FAILURE TO APPEAR AT THE TIME REQUESTED MAY RESULT IN THE CONVICTION OF A CLASS FIVE FELONY (5 years imprisonment in the state penitentiary and/or a fine of \$5,000 may be imposed) IF THE FAILURE TO APPEAR OCCURRED IN A FELONY CASE. FAILURE TO APPEAR IN A MISDEMEANOR CASE MAY RESULT IN A PENALTY OF ONE YEAR IN THE COUNTY JAIL OR A \$1,000 FINE OR BOTH.

I, _____, understand the methods and conditions of my release which have been checked above and the penalties and forfeitures applicable in the event I violate any condition or fail to appear as required. I agree to comply fully with each of the obligations imposed on my release and to notify this Court promptly in the event I change the address indicated below.

DEFENDANT X _____ DATE _____ DOB _____
ADDRESS _____ SSN _____
CITY/STATE _____ PHONE _____

IV. RELEASE

Your copy of this Order/Bond constitutes your authority for the commitment of the defendant until such time all conditions of release are complied with. You are authorized to process the defendant for release upon notification from the Clerk of Court.

You are directed to produce the defendant before the appropriate magistrate or judge at the time and place specified above, if the defendant is still in your custody.

Based upon the above, it is ORDERED that the defendant be released upon compliance with all terms and conditions set forth herein.

DATE _____

Sheriff's Office/Magistrate/Circuit Court Judge

V. OTHER INFORMATION

Clerk of Courts (605)
States Attorney (605)

Copies: Appropriate law enforcement officer
Prosecuting attorney
Defendant

ARRESTING AGENCY:

SO

HP

OTHER