

AFFIDAVIT FOR PROSECUTION OF A WORTHLESS CHECK

COMES NOW, the undersigned Payee, and after being sworn, on oath, states that:

1. The attached check dated _____ drawn on, _____, and purporting to have been signed by _____, was delivered to the Payee on _____. Payee's employee _____ received the check and _____ in return received services and/or merchandise and/or cash at the time the check was passed.

2. The check was not post-dated and the Payee had no information at the time the check was delivered that the person issuing the check did not have sufficient funds on deposit for the full and complete payment of the check. The person issuing the check did not request that the check be held or that the Payee delay depositing or presenting it for payment. There was no delay in depositing the check or presenting it for payment, the check was deposited or presented for payment in the usual course of business.

3. When the check was returned unpaid from the bank, a person identified as _____ notified _____ by restricted delivery mail that the check had been returned unpaid.

The restricted delivery letter was returned by the post office.

The restricted delivery letter was signed for on _____.

4. The check was not given as security for a loan or for a gambling debt.

5. The attached check is submitted to the Barber County Attorney for the purpose of prosecution, not collection. It is understood and agreed that no payment on the check is to be accepted by the Payee, its agents or employees, no dismissals or restitution for the check shall be proposed, planned or agreed upon by the undersigned, its agents, or employees. The determination of the manner of prosecution or dismissal is in the sole discretion of the Barber County Attorney. The undersigned agrees not to accept any payment on the check and if payment is accepted the undersigned agrees to pay court costs herein of one hundred fifty-eight dollars (\$158.00) for a misdemeanor case and one hundred ninety-three dollars (\$193.00) for a felony case.

Payee

By

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public