

STATE OF NEW YORK
TOWN/CITY/COUNTY/SUPREME COURT : COUNTY OF ERIE

THE PEOPLE OF THE STATE OF NEW YORK

SUPPORT

Plaintiff

-vs-

NAME OF CLIENT

Defendant

AFFIRMATION

IN

OF BAIL

IND./Docket No.

Hon. _____

_____, ESQ., an attorney admitted to practice in the State of New York, who is the attorney of record for the above named Defendant, hereby affirms under penalties of perjury, pursuant to CPLR 2106, that the facts set forth herein are true:

1. I am a member of the law firm of _____, attorneys for the Defendant herein. I make this affirmation in support of the within motion for bail.

2. The sources of my information and belief are conversations with the Defendant, a review of the court file, and my own investigation.

3. The Defendant is charged with:

4. The Defendant asks this Court to set a reasonable bail so that the Defendant may be released from jail and assist the undersigned with his/her defense.

5. The Defendant's ties with this community date back to *[specify]*.

6. The Defendant graduated from *[specify educational institution]* in *[specify date]*.

7. The Defendant is employed at *[specify]* for *[specify period of time]*.
8. The Defendant is involved in the following community activities:
[specify].
9. The Defendant has family members in the community. These family members are: *[specify]*. They have lived in this community for: *[specify]*.
10. The Defendant's criminal record is as follows: *[specify]*. He/she was out on bail for the following charges *[spec]* and complied with all court directives to appear.
11. The Defendant has the following financial resources available to post to guarantee his/her appearance in court: *[specify]*.
12. The Defendant's family members have the following financial resources that they are willing to post to guarantee the Defendant's appearance when so directed by the court: *[specify]*.
13. The court is asked to set a reasonable bail and such terms and conditions of release so that the Defendant is able to remain at liberty pending trial and assist his/her counsel in the defense of this case.

DATED: Buffalo, New York
DATE

Respectfully submitted,
_____, **ESQ.**
Attorney for Defendant
Office and P.O. Address
ADDRESS
Tel. (716)

TO: **FRANK A. SEDITA, III., ESQ.**
Erie County District Attorney
Office and P.O. Address
25 Delaware Avenue
Buffalo, NY 14202
ATTN: _____

**STATE OF NEW YORK
COUNTY/SUPREME COURT : COUNTY OF ERIE**

PEOPLE OF THE STATE OF NEW YORK

vs.

**MOTION TO HIGHER
COURT SEEKING
REVIEW OF BAIL
SET IN LOWER
COURT :
Court Docket No:**

NAME OF CLIENT

Defendant

PLEASE TAKE NOTICE, that upon the annexed Affidavit of _____,
ESQ. , sworn to on the ____ day of _____, 20____, and upon all of the proceedings heretofore
had herein, the undersigned will move this Court on the ____ day of _____, at ____ o'clock in
the fore/after noon of that day or as soon thereafter as counsel can be heard, for an Order,
pursuant to §530.30-1(c) of the Criminal Procedure Law, fixing bail in a reasonable amount
during the pendency of the MISDEMEANOR/FELONY matter under NAME OF COURT
Docket No. # _____, and ordering that the recognizance order for release of the
defendant as to the Docket No. # _____ remain during the disposition of the
MISDEMEANOR/FELONY charges now pending, and for such other relief as the court deems
just and proper.

DATED: Buffalo, New York
DATE

Respectfully Submitted,
_____, **ESQ.**
Attorney for Defendant,

ADDRESS
Tel. (716)

**TO: NAME OF JUDGE
NAME OF COURT
ADDRESS OF COURT**

TO: FRANK A. SEDITA, III, ESQ.

Erie County District Attorney

25 Delaware Avenue

Buffalo, New York 14202

ATTN: _____

**STATE OF NEW YORK
COUNTY/SUPREME COURT : COUNTY OF ERIE**

PEOPLE OF THE STATE OF NEW YORK

vs.

**AFFIRMATION IN
SUPPORT OF MOTION
TO HIGHER COURT
SEEKING REVIEW OF
BAIL SET IN LOWER
COURT**

Docket No:

NAME OF CLIENT

Defendant

_____, ESQ., an attorney admitted to practice before the courts of this state, affirms the following as true, under the penalties of perjury:

1. I am the assigned attorney for the above-named Defendant, NAME OF CLIENT in the above referenced actions, and I hereby make this Affidavit in support of NAME OF CLIENT's application, pursuant to Section 530.30-1 (c) of the Criminal Procedure Law, for an order fixing bail in a reasonable amount pending the disposition of the above referenced misdemeanor matter and maintaining the recognizance bail for the felony matter above-referenced pending disposition of the same.
2. The information that is set forth in this Affidavit has been obtained from my numerous conversations with the Defendant and with members of his family, as well as personal information obtained from court proceedings held herein.
3. SET FORTH SPECIFICS OF HOW BAIL WAS SET IN THE LOWER COURT AND SET FORTH SPECIFICS WHY BAIL SHOULD BE REDUCED BY THE

SUPERIOR COURT.

4. Upon the circumstances of this case, the reasons set forth herein, and the statutory purpose of bail, reduction in bail to a reasonable amount in the misdemeanor matter and an Order that the status quo remain as the bail on the felony matter on the felony case should be granted.

5. It is respectfully requested by your deponent that a sufficient bail in the amount of \$ AMOUNT (\$_____) A through E be deemed sufficient surety to guarantee the return of the Defendant herein.

6. No previous application under CPL §530.30 of the Criminal Procedure Law has been made.

WHEREFORE, your deponent respectfully prays for an Order be granted, pursuant to §530.30 -1 (c) of the Criminal Procedure Law, releasing the Defendant on his own recognizance, or in the alternative that bail be fixed in the amount of \$_____ A through E, or any less burdensome form, and that the release status on the felony matter be maintained as recognizance release, and for such other and further relief as this Court deems just and proper.

_____, **ESQ.**