

Law Offices of
JULIANNE M. HOLT
Public Defender

Thirteenth Judicial Circuit of Florida
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RE: Motion to Modify or Terminate Probation

Please find attached a sample format to be used in a Motion to Modify or Terminate Probation or Community Control. This matter is *related* to your criminal case, but we cannot represent you unless the Judge appoints us to do so.

You will need to complete the pleadings with all of the appropriate information in the spaces provided, including: your name, case number, and the trial division in which your case was heard. Where indicated, circle the parts that apply to you and fill in the blank spaces.

The Order should be completed with your name, case number, and division, but the signature line for the judge must remain blank. The judge will sign the Order in court.

In most divisions, you must contact the judicial assistant of the judge whose division handled your case and request a date for the motion to be heard. Once the judicial assistant provides a date for the hearing, complete the Notice of Hearing.

You must file the Motion, Order, and Notice of Hearing with the Clerk of the Circuit Court.

You must then send a *copy* of the Motion and the Notice of Hearing to the Office of the State Attorney and your probation or community control officer.

It is important that you bring with you to court all verification of any special conditions of probation/community control that you have completed. Be sure to keep copies of all of the documents.

Sincerely,

JULIANNE M. HOLT
PUBLIC DEFENDER
THIRTEENTH JUDICIAL CIRCUIT

ATTORNEY-CLIENT Privilege Applies

Telephone (813)272-5980 • Suncom 543-5980 • E-mail Address pd13@pd13.state.fl.us

INSTRUCTIONS

Please follow these instructions in order to properly prepare your motion for modification or termination of probation. Although this matter is *related* to your criminal case, this office cannot represent you unless the judge appoints us to do so.

You will need to complete all of the attached forms as follows:

1. Please fill in your name, case number, and division on all of the attached documents (the Notice of Hearing, Motion, and Order).
2. Fill in the blanks in the Motion, Order and Notice of Hearing.
Words in **bold** and separated by a slash (/) signal a choice. You must circle one of the options. For example, if your case was a felony case, it was heard in Circuit Court. Circle the word "CIRCUIT" in the heading of the MOTION, NOTICE OF HEARING AND ORDER.
3. Contact the judge's judicial assistant in order to get a hearing date on your motion.
4. Once you have a hearing date, fill it in on the Notice of Hearing.
5. You must sign the Notice and Motion (**do not sign the Order**).
6. Once the documents are completed, you must:
 - A) File the **ORIGINAL** motion, order and notice with the Clerk's office.
 - B) Send a **COPY** of the motion and notice to the State Attorney's Office, 3rd floor - 800 E. Kennedy.
 - C) Send a **COPY** of the motion and notice to your probation/community control officer.
 - D) If the case is before Judge Ficarrotta - make a copy and give it to the information desk on the 1st floor of the Courthouse Annex
7. When you come to court, bring the documents that verify the conditions you claim have been completed.
8. Be sure to keep copies of all documents for your records.

IN THE COUNTY / CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT'S MOTION TO MODIFY/TERMINATE PROBATION/COMMUNITY CONTROL

COMES NOW the Defendant, PRO SE, and moves this Honorable Court to **Modify / Terminate His / Her Probation / Community Control**, and in support of this motion states:

1. Defendant was placed on **probation / community control** on _____.
2. The period of supervision was for _____ **months / years**.
3. During that period of supervision **there were no / there were** violation papers filed.
4. All conditions of the supervision **have / have not** been completed.
5. The probation/community control officer **does / does not** object to an early **modification / termination** of supervision.
6. The probation/community control officer's name is _____.

WHEREFORE, Defendant respectfully requests this Honorable Court grant this Motion and issue an Order **modifying / terminating** the probation/community control in this case.

I HEREBY CERTIFY that a true and correct copy of the foregoing motion has been furnished to MARK OBER, State Attorney, Office of the State Attorney, 800 East Kennedy Boulevard, Tampa, Florida 33602, this _____ day of _____, 20__.

Respectfully submitted,

DEFENDANT, PRO SE

CC: _____
Probation/Community Control Officer

IN THE COUNTY / CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

ORDER MODIFYING/TERMINATING PROBATION/COMMUNITY CONTROL

THIS CAUSE having been heard by the Court upon the Defendant's **Motion to Modify / Terminate Probation / Community Control**, and the Court, after hearing argument of counsel, and being otherwise fully advised in the premises therein, it is hereby:

ORDERED AND ADJUDGED that the Defendant's Motion to **Modify / Terminate Probation / Community Control** is hereby _____.

DONE AND ORDERED at Tampa, Hillsborough County, Florida, this _____ day of _____, 20____.

CIRCUIT/COUNTY COURT JUDGE
THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA

Copies furnished to:

Defendant, Pro Se
Office of the State Attorney
Department of Corrections / Salvation Army

IN THE **COUNTY / CIRCUIT** COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

NOTICE OF HEARING

TO: HONORABLE MARK OBER
OFFICE OF THE STATE ATTORNEY
THIRTEENTH JUDICIAL CIRCUIT

YOU ARE HEREBY NOTIFIED that the undersigned with call up the motion listed below for hearing and argument before the Honorable Judge _____, in the Hillsborough County Courthouse Annex, on the _____ day of _____, 20____ at _____ **a.m./p.m.** or as soon thereafter as may be heard.

MOTION TO MODIFY / TERMINATE PROBATION / COMMUNITY CONTROL

DATED at Tampa, Hillsborough County, Florida this _____ day of _____, 20____.

Respectfully submitted,

DEFENDANT, PRO SE

cc: _____
Probation/Community Control Officer