

**INSTRUCTION PAGE**

**INSTRUCCIONES**

No. (Cause # - # de Causa)

THE STATE OF TEXAS,

In the Municipal Court

vs.

City of Plano

(Defendant's Printed Name) (Nombre del Acusado (a))

Collin County, Texas

**APPEAL BOND**

Whereas, on the \_\_\_ day of (Judgment Date - Fecha de Sentencia), 200\_, in the above entitled and numbered cause, in said Municipal Court, a Judgment was rendered and entered against the defendant, (Defendant's Printed Name) (Nombre del Acusado(a) ), convicting him/her of the misdemeanor offense of (Violation) (Violación) upon complaint filed in said court, that the State of Texas, for the use and benefit of the City of Plano, Texas, have and recover of the said defendant the sum of (Total of Fine and Costs) (Total de la Multa y Costos) dollars (\$ \_\_\_\_\_ ) fine and all costs of said prosecution from which said Judgment the defendant has appealed to the County Court at Law of Collin County, Texas;

Now, therefore, we, the said (Defendant's Printed Name) (Nombre del Acusado(a) ), as principal, and (Surety's Printed Name) (Nombre del fiador) , as surety, do hereby bind ourselves, our heirs, executors and administrators, jointly and severally, to the State of Texas, in the sum of (Double Fine and Costs Amount) (Doble la Cantidad de la Multa y Costos) dollars (\$ \_\_\_\_\_ ) payable to the State of Texas, for the use and benefit of the said City of Plano, Texas; and in addition thereto, we are bound for the payment of all necessary and reasonable fees and expenses that may be incurred by any and all sheriffs or other peace officers in rearresting the principal in the event the conditions of this bond are violated.

**Conditioned**, that the said defendant shall well and truly make his/her personal appearance before the County Court At Law, Collin County, Texas, instantly at McKinney, Texas, as well as before any court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to said charge in the course of criminal actions based on said charges, and there remain from day to day, and term to term, to answer said cause on trial in said Court.

Witness our hands this \_\_\_\_\_ day of (Date Signed) (Fecha Firmada) , A.D. 200 \_\_\_\_\_.

X \_\_\_\_\_  
Defendant's signature    Firma del Acusado(a)

\_\_\_\_\_  
Defendant's Printed Name    Nombre del Acusado(a)

\_\_\_\_\_  
Defendant's Address    Domicilio del Acusado(a)

X \_\_\_\_\_  
Surety's signature    Firma del Fiador

\_\_\_\_\_  
Surety's Printed Name    Nombre del fiador

\_\_\_\_\_  
Surety's Address    Domicilio del Fiador

Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

**YOU WILL NEED TO POST A MONEY ORDER OR CASHIER'S CHECK PAYABLE TO "COLLIN COUNTY" OR PROVIDE A SURETY THAT EITHER HOLDS A BAIL BOND LICENSE IN COLLIN COUNTY OR IS LICENSED TO PRACTICE LAW IN THE STATE OF TEXAS.**

\_\_\_\_\_  
Municipal Court Judge  
Plano, Collin County, Texas

STATE OF TEXAS }  
 } Before me, the undersigned authority, personally appeared  
COUNTY OF COLLIN }

(Surety's Printed Name) (Nombre del fiador) surety of this bond and upon his or her oath, deposes and says:

I do swear that I am worth, in my own right, at least the sum of \$ (Double Fine and Costs Amount) (Doble la Cantidad de la Multa y Costos), after deducting from my property all that which is exempt by the Constitution and Laws of the State from forced sale, and after the payment of all my debts of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; that I reside in (Print County Name) (Nombre del Condado) County, and have property in this State liable to execution worth said amount or more.

X \_\_\_\_\_  
Surety's Signature                      Firma del Fiador  
Surety's Bail Bond License Number \_\_\_\_\_  
Surety's Texas Law License Number \_\_\_\_\_

**RIGHT TO APPEAL.** You may appeal a judgment against you to the County Courts at Law for a new trial. If you do not file an appeal bond within ten (10) days of the date of your trial, you lose the right to appeal. The fine and court costs that were ordered would then have to be paid.

**BOND.** The appeal bond must be filed with the Plano Municipal Court Clerk. The amount of the bond is twice the sum of the fine and all court costs and fees.

**SURETY BOND.** A surety is someone that agrees to pay the fine and court costs if you fail to appear in the County Court at Law. The surety on an appeal bond must be a bail bondsman licensed in Collin County or an attorney that you have hired to represent you during the appeal.

**CASH BOND.** If you post a money order or a cashier's check, the money will be held by the County Clerk until the end of your case in the County Court at Law. If you make all your court appearances, the money will be returned to you; or you may use the bond money to pay any fine and court costs imposed at the end of the case.

**APPEAL.** After the bond is posted in the Municipal Court, the bond and all the papers of the appealed case will be forwarded to the Collin County Clerk. The appealed case will be assigned to one of the County Courts at Law and will be scheduled for a pre-trial hearing approximately 45 days after the paperwork is received by the County Clerk. The County Clerk will mail a notice of the hearing to the address you list on the appeal bond.

When you appear in the County Court at Law, you may request a trial before a judge or a jury, to be placed on Deferred Disposition, or to take a Driving Safety Course, if you are eligible.

## FREQUENTLY ASKED QUESTIONS:

- 1. How do I appeal? What is the process of perfecting the appeal bond?**  
The only way to appeal a judgment from the municipal court is to file an appeal bond with the municipal court within ten (10) days of the date of judgment. An appeal bond form is available in the municipal court.
- 2. Where are the County Courts at Law?**  
The County Courts at Law are located at 1800 N. Graves Street, McKinney, Texas.
- 3. Do I file my appeal bond directly with the County Court?**  
No. Your appeal bond must be filed in the municipal court.
- 4. Can I get an extension of time to appeal?**  
No. The Code of Criminal Procedure limits the time to file an appeal bond to ten (10) days following the signing of the judgment. If the tenth day falls on a weekend or court holiday, the time is extended to the next business day.
- 5. What happens if I don't appeal?**  
If no appeal bond is filed ten (10) days after the judgment was entered, the fine and court costs must be paid to prevent a warrant of arrest being issued by the municipal court.
- 6. What if I don't have the money to appeal?**  
You may hire an attorney or use a bail bondsmen to file the appeal bond, if not the case will remain in our court, since extensions are not possible for appealing a case.
- 7. Do I have to post a cash appeal bond?**  
Appeal bonds may be secured with a cash amount equal to twice the sum of the fine and all court costs and fees, or, appeal bonds may be accepted if the bonds are signed by the defendant and an approved surety.
- 8. Do you have a list of attorneys that handle appeals?**  
The court may not provide a referral list of attorneys. Please consult the local bar associations or the advertising section of the telephone directories.
- 9. Do you have a list of bail bondsmen that handle appeal bonds?**  
A list of the bail bondsmen licensed by Collin County is available at the court clerks' office and the city jail.
- 10. If I post a cash appeal bond, can the money be used for the payment of any fines and costs set in the County Court?**  
This question should be directed to the Collin County Clerk or to the Judge of the County Court at Law presiding over the case that was appealed. The Municipal Court has no say in this matter.
- 11. If I want to post a surety appeal bond, who is allowed to sign as a surety?**  
A surety on an appeal bond may be any licensed attorney or a bail bondsman licensed in Collin County.
- 12. Is the purpose of appealing to the County Court to contest the case?**  
Generally, yes. Defendants will have the opportunity to enter any acceptable plea when the appealed case is called in the County Court at Law.
- 13. If I don't want to contest the case, will I be granted an option to keep the offense off my record?**  
This question should be directed to the county officials. The granting of alternative forms of disposition is in the discretion of the Judge of each County Court at Law.
- 14. Can I use the cash bond that I posted in the Municipal Court as the appeal bond?**  
No. The cash deposited as a bond in the municipal court will not be refunded in cash. It will be refunded in the form of a check issued by the City.
- 15. Do you have an appeal bond written in Spanish or another language?**  
Appeal bonds are printed only in English. Instructions for completing the appeal bonds are available in English and Spanish.