

CAUSE NUMBER: \_\_\_\_\_

THE STATE OF TEXAS § IN THE COUNTY COURT  
VS. § AT LAW NUMBER \_\_\_\_\_  
\_\_\_\_\_ § COLLIN COUNTY, TEXAS

PETITION FOR WRIT OF HABEAS CORPUS

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, \_\_\_\_\_, herein called petitioner in the above entitled cause number and petitions the court for relief from his detention under Articles 11.05 and 17.151 of the Texas Code of Criminal Procedure (T.C.C.P.) and would show the following:

I.

The petitioner was incarcerated in the \_\_\_\_\_ on \_\_\_\_\_ on the charge of \_\_\_\_\_.

II.

The petitioner has not been to Court on the charges against him and cites the following Article 17.151, Section 1 of the T.C.C.P.:

A defendant who is detained in jail pending trial of an accusation against him must be released on personal bond or by reducing the amount of bail required, if the state is not ready for trial of the criminal action for which he is being detained within:

- (1) 90 days from the commencement of his detention if he is accused of a felony.
- (2) 30 days from the commencement of his detention if he is accused of a misdemeanor punishable by a sentence of his imprisonment in jail for more than 180 days.
- (3) 15 days from the commencement of his detention if he is accused of a misdemeanor punishable by a sentence of imprisonment for 180 days or less

The petitioner has been incarcerated longer than allowed by law.

III.

The petitioner prays the court grant him a personal bond or take him to trial immediately. The petitioner can show he is indigent and cannot afford bond.

UNSWORN DECLARATION BY DEFENDANT

Defendant \_\_\_\_\_, LE # \_\_\_\_\_, being incarcerated in the Collin County Detention Facility in McKinney, Texas, declares under penalty of perjury that the motion is true and correct, pursuant to 28 USC§1746.

Executed on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signed

ORDER

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, came on to be heard defendant's motion and it appears to this court that this motion should be granted/denied.

\_\_\_\_\_  
Honorable Judge