

Verified Motion to Release Personal Property

Use this form when:

You are the Defendant in a criminal case and

- You have personal property that is being held by the police and you want this property released and returned to you or to a person you designate.

“Verified” means that by signing and submitting this Motion, you swear or affirm under oath and under penalties for perjury that all the answers and information are true and accurate.

This form has both a Motion and an Order.

→ You must fully complete and sign the Motion.

→ You must complete only the top half of the Order.

Print and bring both forms to court.

SCROLL DOWN FOR Verified Motion to Release Personal Property

VERIFIED MOTION TO RELEASE PERSONAL PROPERTY

TIPPECANOE SUPERIOR COURT No. 4
Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9266

CAUSE NO. 79D04-_____-F6/FD-_____-
CAUSE NO. 79D04-_____-CM-_____

State of Indiana
Prosecutor's Office, 3rd Floor
111 North 4th Street
Lafayette, Indiana 47901
Telephone: (765) 423-9305

Defendant _____
Address _____
Address _____
City _____ State _____ Zip _____
Telephone (_____) _____
Email _____

VERIFIED MOTION TO RELEASE PERSONAL PROPERTY
[Attach Order]

Comes now the Defendant and requests the Court to Order the below listed law enforcement agency and/or the Tippecanoe County Prosecutor's Office to release the listed property that was seized at the time of my arrest in this cause or was seized pursuant to a search warrant. I believe this property should be released and returned to me because:

Date arrested: _____ Police agency: _____
Case number: _____

Property: _____

- No criminal charges were filed and the statute of limitations has expired.
Criminal charges were filed but
All charges related to this arrest were dismissed without a conviction.
I pled guilty in this cause and the case is now closed.
I was found not guilty after a trial.
Other _____

To the best of my knowledge, the listed property is not the subject of a civil forfeiture action. NOTE: If this property is the subject of a civil forfeiture action, you cannot separately request the release of this property. Your position and request will be considered by the Court in the forfeiture action only.

I swear or affirm under penalties for perjury, as specified in I.C. 35-44-2-1, the information herein is true and accurate to the best of my knowledge and belief and that on the date this Motion was filed, I served a copy of this Motion on the Prosecutor by:
U.S. Mail (1st class) to the Prosecutor's Office as listed above.
Personally delivering a copy of this Motion to the Prosecutor's Office during business hours and leaving this Motion with the receptionist.

_____, 20____
Date

Signature

ORDER SCHEDULING HEARING ON MOTION TO RELEASE PERSONAL PROPERTY

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CAUSE NO. 79D04-_____ -F6/FD-_____
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State of Indiana

Prosecutor's Office, 4th Floor
Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9305

Defendant _____
Address _____
Address _____
City _____ State _____ Zip _____
Telephone (_____) _____
Email _____

ORDER SCHEDULING HEARING ON MOTION TO RELEASE PERSONAL PROPERTY

The Court now schedules this Verified Motion for status review on Monday, _____ [date] at 4:00 PM. If the Prosecuting Attorney has not filed a written Response objecting to the release of the property, the Motion will be granted without a hearing. The Prosecuting Attorney may notify the Court in writing any time before this date if there is no objection to the property being released to the Defendant. If no objection, the Court will then grant the Motion without a hearing.

_____ Date

_____ Laura W. Zeman, Judge
Tippecanoe Superior Court No. 4

COPY: Prosecutor Defendant Attorney for defendant