

Pro se Motion to Modify Probation or Community Control

Motions to modify your probation or community control are *related* to your criminal case, but the Public Defender **cannot file these motions for you or represent you in your hearing** unless the Court appoints us to do so.

There are *three* forms attached that we hope will help you with this matter: (1) Defendant's Motion to Modify Probation/Community Control; (2) Notice of Hearing; (3) Order Modifying Probation/Community Control.

INSTRUCTIONS FOR PREPARING AND FILING YOUR MOTION

1. Contact your probation officer to let him/her know you will be filing this motion and find out if your probation officer has any objection to the motion.
2. Fill out all of the attached forms correctly.
 - In each document's "heading," circle either COUNTY (for Misdemeanor cases) or CIRCUIT (for Felony cases) and the County in which your case is filed.
 - Write in your name, case number, and the court division.
 - Fill in all of the spaces where you see a "_____"
 - Where you see words separated by a slash mark (/), you need to circle one of the words.
 - Write the current date in the last paragraph of the Motion and Notice of Hearing.

****DO NOT** fill in the court date or time on the Notice of Hearing.

 - Sign on the line above "DEFENDANT, PRO SE" on the Motion and Notice of Hearing.
 - Write your telephone number and address in the blanks below your signature.
 - Write the name and telephone number for your probation officer.

****DO NOT** sign and **DO NOT** write a date on the Order. The judge will sign and date the order in court.
3. Once you have the specific instructions from the court, **make 4 copies** of the Motion and Notice of Hearing.

File the original Motion and Notice of Hearing and Order to:

- **Clerk of Court** (select the county/location that applies):
 - Manatee County: P.O. Box 25400, Bradenton, FL 34206
 - Sarasota County: P.O. Box 3079, Sarasota, FL 34230
 - Venice: P.O. Box 3079, Sarasota, FL 34230
 - Arcadia: 115 East Oak Street, Arcadia, FL 34266

Mail a copy of the Motion and Notice of Hearing to each party listed below:

- **State Attorney** (select the county/location that applies):
 - Bradenton: 1112 Manatee Avenue West, 6th Floor, Bradenton, FL 34205
 - Sarasota: 2071 Ringling Blvd, #400, Sarasota, F 34237
 - Venice: 4000 South Tamiami Trail, Room 135, Venice, FL 34293
 - Arcadia: 115 East Oak Street, Arcadia, FL 34266
- **Your probation officer**
- **The judge** (select the county/location that applies):
 - Bradenton: Manatee County Judicial Center, P.O. Box 3000, Bradenton, FL 34206
 - Sarasota: Judge Lynn Silvertooth Judicial Center, 2002 Ringling Blvd, Sarasota, FL 34237
 - Venice: Robert L. Anderson Adm Center, 4000 South Tamiami Tr, Venice, FL 34293
 - Arcadia: Desoto County Courthouse: 115 East Oak Street, Arcadia, FL 34266

Keep a copy of the Motion and Notice of Hearing for yourself.

4. When you go to court, bring your copy of the Motion, Notice of Hearing, and Order. You should also bring copies of all other documents related to your case, including all verification of completed conditions of your probation or community control.
5. The Judge will notify you in the mail of a hearing date or final disposition of your motion. The Judge may deny or grant your motion without a hearing. Additionally, you can check the status of your motion on the Clerk's website.

IN THE COUNTY / CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN
AND FOR SARASOTA/ MANATEE/ DESOTO COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

DEFENDANT'S PRO SE MOTION TO MODIFY PROBATION/COMMUNITY CONTROL

COMES NOW the Defendant, *pro se* and moves this Court to Modify the Defendant's **Probation / Community Control**, and in support of this motion states:

1. Defendant was placed on **probation / community control** on _____.
(date sentenced)
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. I am requesting the Court to Modify supervision in the following way:

6. I am requesting the Court to Modify supervision in this case for the following reason(s):

7. The assigned probation officer **does / does not** object to modification of supervision.
8. Contact information for the probation officer in this case is:

Name: _____ Telephone: (____) _____

9. This officer was given a copy of this motion by the Defendant on _____.
(date)

WHEREFORE, the Defendant respectfully requests this 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 the Office of the State Attorney, _____ (address), this _____ day of _____, 20____.

Respectfully submitted,

DEFENDANT (Signature)

Telephone: (____) _____

Address: _____

IN THE COUNTY / CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN
AND FOR SARASOTA/ MANATEE/ DESOTO COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

NOTICE OF HEARING

TO: OFFICE OF THE STATE ATTORNEY

YOU ARE HEREBY NOTIFIED that the motion listed below has been scheduled for hearing before
Judge _____, in courtroom # _____, on the _____ day of _____, 20____
at _____ a.m./p.m. or as soon thereafter as may be heard.

PRO SE MOTION TO MODIFY

DEFENDANT'S PROBATION / COMMUNITY CONTROL

DATED this _____ of _____, 20_____.

Respectfully submitted,

DEFENDANT (Signature)

Telephone: (____) _____

Address: _____

Courtesy Copy to Judge and Probation Officer

IN THE COUNTY / CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN
AND FOR SARASOTA/ MANATEE/ DESOTO COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

ORDER MODIFYING DEFENDANT'S PROBATION / COMMUNITY CONTROL

THIS CAUSE, having come before the Court on the Pro Se Motion to **Modify / Terminate** Defendant's **Probation / Community Control**. This Court, having received and reviewed the recommendations from the **Department of Corrections**, taken testimony, and being otherwise fully advised in the premises therein, it is hereby:

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

GRANTED – DENIED

The Defendant's probation / community control is modified in the following manner:

DONE AND ORDERED this _____ day of _____, 20____.

CIRCUIT/COUNTY COURT JUDGE

Copies furnished to:

Defendant, *pro se*
Office of the State Attorney
Department of Corrections / HCSO