

## **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**

**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, 4<sup>th</sup> 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