

BAD CHECK AFFIDAVIT

AFFIDAVIT

THE STATE OF KANSAS

VS.

Comes now, the undersigned and deposes and says:

- 1) The attached check was given to _____ at _____, Cherokee County Kansas, on the ____ day of _____, 20____, by a person identified as _____, who in turn received goods, wares, merchandise, or cash for said check, and said check was NOT given for a pre-existing debt. The check was personally received by _____ from the passer. At the time the check was made, uttered and passed, the maker of passer did not indicate by words of action that he/she had no deposit in or credit with such bank of that he/she did not have sufficient funds in or credit with such bank for payment of the check.
- 2) That the check was not requested to be held.
- 3) The maker or passer of said check did not borrow any money and give the check as security for the debt or loan.
- 4) The check was not post-dated.
- 5) The check was submitted to the bank for payment during the usual course of business and was not held.
- 6) When the check was returned, we did on the ____ day of _____, 20____, by letter, deposited as restricted mail in the U.S. Mail, addressed to the address as it appears on said check, draft or order, advise the maker of the check if it was not paid

BAD CHECK AFFIDAVIT

within ten (10) days, it would be submitted for prosecution.

The attached check is submitted to the County Attorney's Office for the purpose of prosecution with the full understanding that the prosecution will not be dismissed because restitution has been made. I am aware that under the provisions of K.S.A. 21-3709, Causing an Unlawful Prosecution of a Worthless Check is a Class A non-person Misdemeanor, and any person convicted of such violation shall pay the taxable costs of the prosecution initiated by such person or upon information supplied by such person. Causing an unlawful prosecution for worthless checks is filing this affidavit on a check that was accepted, knowing the same was post-dated or that there were no funds of insufficient funds to pay said check, draft or order upon presentation at the bank of depository.

Having read the foregoing, I do hereby affix my signature this _____ day of _____, 20__

(Signature of Affiant)

Subscribed and sworn to before me this _____ day of _____, 20__

Notary Public

*****Please Include \$30.00 Returned Check Fee*****