

sample form 6: affidavit (in support of application to vary bail)

IN THE SUPREME COURT OF QUEENSLAND AT BRISBANE

Number:

RE AN APPLICATION FOR VARIATION OF BAIL BY SHANE BALMAIN PLAIN

I, **SHANE BALMAIN PLAIN** of East Maine Correctional Centre in the State of Queensland state on oath:

1. I am the applicant in this matter.
2. I was born on the 12th April 1973 in Maine, Australia and I am 28 years of age.
3. I have been charged with the following offences:
 - a) 1 x stealing
 - b) 1 x assault
4. In respect of the aforesaid charges, I am next to appear in the Magistrates Court at Brisbane on the 19th January 2002.
5. I was admitted to bail in the Magistrates Court at Brisbane on the 16th September 2001 on the following conditions:
 - a) That I reside at 10 Drain Lane.
 - b) That I report to the Officer-in-Charge of the Police Station at Maine each Monday, Wednesday and Friday between the 8 a.m. and 4 p.m.
 - c) That a \$5,000 surety be provided.
6. I respectfully request that this Honourable Court vary my bail as I have contacted all my family members that live in Queensland and they have advised me that they are unable to raise the amount of the surety. I have also contacted a number of other friends who also cannot raise this amount. I do not know anyone else I can ask to provide a surety.
7. I have been on remand since on or about the 23rd July 2001.
8. I request that my previous bail order be vacated and a fresh order made.

TERMS OF NEW ORDER

9. If this Honourable Court admits me to bail I would be prepared to reside at 10 Drain Lane, Maine with my wife **LORRAINE PLAIN** and my two children **SHANEY PLAIN** aged 10 years and **JANEY PLAIN** aged 6 years.

SHEET 1

Signed:

Taken by:

Affidavit

Filed on behalf of: Shane Balmain Plain

Address for service:
Shane Balmain Plain
East Maine Correctional Centre
99 Rain Lane
Maine Q 4444

Form 11

sample form 6: affidavit (in support of application to vary bail)

IN THE SUPREME COURT OF QUEENSLAND AT (PLACE)

Number:

RE AN APPLICATION FOR VARIATION OF BAIL BY (YOUR NAME)

I, (YOUR NAME) of (name of Correctional Centre) in the State of Queensland state on oath:

1. I am the applicant in this matter.
2. I was born on the (date of birth) in (city, country of birth) and I am (age) years of age.
3. I have been charged with the following offences:
a) (list of all charges)
4. In respect of the aforesaid charges, I am next to appear in the (name of court) Court at (place) on the (date).
5. I was admitted to bail in the (name of court) Court (place) on the (date) on the following conditions:
a) (list conditions of bail)
6. I respectfully request that this Honourable Court vary my bail (state reasons why you want to vary your bail conditions).
7. I have been on remand since on or about the (date).
8. I request that my previous bail order be vacated and a fresh order made.

TERMS OF NEW ORDER

9. If this Honourable Court admits me to bail I would be prepared to reside at (address) with (names of all persons with which you will be living, and names and ages of any children living at that address).

SHEET 1

Signed:

Taken by:

Affidavit

Filed on behalf of: (your name)

Address for service:

(your name)
(name and address of Correctional Centre)

Form 11

sample form 6: continued

affidavit (in support of application to vary bail)

10. If this Honourable Court admits me to bail I would be prepared to report to the Officer-in-Charge of the Police Station at Maine as often as this Honourable Court requires.
11. If this Honourable Court admits me to bail I would be prepared to undergo alcohol/drug testing.
12. If this Honourable Court admits me to bail I would be prepared to participate in a drug counselling program with the Maine Counselling Service.
13. EMPLOYMENT
Should this Honourable Court admit me to bail, I would be unemployed.
 - a) Prior to my arrest I was employed by Dane Lane's Paint Producing Factory in Brisbane as a painter for 5 years.
14. PASSPORT
I do not hold a current valid passport.
15. I am willing to comply with any conditions of bail that the Court may impose.
16. I will be defending the charges.

All the facts and circumstances herein deposed to are within my own knowledge and belief save such as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my affidavit.

Shane B Plain

.....
(Signature of Deponent)

SWORN

by the deponent at Maine

this 15th day

of November, 2001

Before me

Wayne Maine

.....
Justice of the Peace

practice form 6: continued

affidavit (in support of application to vary bail)

10. If this Honourable Court admits me to bail I would be prepared to report to the Officer-in-Charge of the Police Station at **(place)** as often as this Honourable Court requires.
11. If this Honourable Court admits me to bail I would be prepared to undergo alcohol/drug testing **(if applicable)**.
12. If this Honourable Court admits me to bail I would be prepared to participate in a drug counselling program with the **(name of counselling service) (if applicable)**.
13. **EMPLOYMENT**
Should this Honourable Court admit me to bail, I would be unemployed.
- a) Prior to my arrest I was employed by **(name of employer)** as a **(position)** for **(length of time)**.
- (or)**
Should this Honourable Court admit me to bail, I believe that I would be employed by **(name of person employing you)** of **(company name)** as a **(position)**. I was employed in the above position prior to my arrest for **(length of time, if applicable)**.
14. Prior to that I have been employed in the following capacities:
- a) **(employment history)**
15. **PASSPORT**
I am not the holder of a current valid passport. **(or)**
I am the holder of a current valid passport. I am prepared to surrender it within 24 hours of my release to the Officer-in-Charge of the police station at **(station where you will be reporting)**. The passport is currently located at **(address where it is located)**.
16. I am willing to comply with any conditions of bail that the Court may impose.
17. I will be defending the charges **(if applicable)**.

All the facts and circumstances herein deposed to are within my own knowledge and belief save such as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my affidavit.

SWORN

by the deponent at **(place)**

this **(day)** day

of **(month)**, **(year)**

Before me

(Your signature - MUST BE

WITNESSED BY A JUSTICE OF THE PEACE)

.....
(Signature of Deponent)

.....
Justice of the Peace