

Sample 7: 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 12 April 1973 in Maine, Australia and I am 50 years old.
3. I have been charged with the following offences:
 - a. 1 x assault occasioning bodily harm
 - b. 1 x stealing
 - c. 1 x possession of a dangerous drug
4. In respect of the charges in paragraph 3, I am next to appear in the Magistrates Court at Brisbane on 24 January 2024.
5. I was granted bail in the Magistrates Court at Brisbane on 3 October 2023 on the following conditions:
 - a. That I reside at 10 Drain Lane, Maine, 4444
 - b. That I report to Maine Police Station each Monday and Friday.
 - c. That a \$5000 surety be provided.
6. I am asking the Supreme Court to vary my bail as I have contacted all of my family members that live in Queensland and they have told me that that are unable to raise the amount of the surety.
7. I have also contacted a number of other friends, and they also can't raise this amount.
8. I do not know anyone else that I can ask to provide a surety.
9. I have been in custody on these charges since 13 July 2023.
10. I am asking that my previous bail order be vacated and a fresh order made.

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Shane B Plain

DEPONENT

Wayne Maine

WITNESS

AFFIDAVIT

FILED ON BEHALF OF: Shane Balmain Plain
ADDRESS FOR SERVICE: East Maine Correctional Centre
10 Rain Lane
Maine Qld 4444

Phone no:

Email:

Form 11 – version 4 – approved on 17 October 2022
Criminal Practice Rules 1999

TERMS OF NEW ORDER

11. If this Court grants me bail, I would 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.
12. If this Court grants me bail, I would be prepared to report to the Officer in Charge of the Police Station at Maine as often as required.
13. If this Court grants me bail, I would be prepared to undergo drug and alcohol testing.
14. If this Court grants me bail, I would be prepared to participate in a drug counselling program with the Maine Counselling Service.

EMPLOYMENT

15. If this Court grants me bail, I would be unemployed.
16. Before I was arrested, I was employed by Dane Lane's Paint Producing Factory in Brisbane for 5 years.

PASSPORT

17. I do not hold a current passport.
18. I am willing to comply with any conditions of bail that the court may impose.

The contents of this affidavit are true, except where they are stated on the basis of information and belief, in which case they are true to the best of my knowledge.

I understand that a person who provides a false matter in an affidavit commits an offence.

SWORN BY:

Shane Balmain Plain

[INSERT FULL NAME OF
DEPONENT]

Shane B Plain

[SIGNATURE OF DEPONENT]

at: Maine

[INSERT PLACE WHERE DEPO-
NENT IS LOCATED]

1 November 2023

[DATE]

BEFORE ME:

Wayne Maine

[INSERT FULL NAME OF WITNESS]

Wayne Maine

[SIGNATURE OF WITNESS]

Solicitor

[INSERT TYPE OF WITNESS]

1 November 2023

[DATE]

Maine Solicitors Office

[INSERT WITNESS'S PLACE OF
EMPLOYMENT]