



**AFFIDAVIT/ORDER  
RE VIOLATION OF DEFERRED  
PROSECUTION CONDITIONS**

Case No. \_\_\_\_\_  
Court \_\_\_\_\_  
County \_\_\_\_\_  
Division \_\_\_\_\_

COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

DEFENDANT

Affiant, after being duly sworn, states:

1. My name is \_\_\_\_\_, and I am employed by the Kentucky Court of Justice, Administrative Office of the Courts, Department of Pretrial Services.
2. Pursuant to KRS 218A.14151, the defendant moved to be admitted into the deferred prosecution program. The defendant is charged with a violation of KRS 218A.1415, Possession of a Controlled Substance 1st degree. This is the defendant's [ ] first offense [ ] second offense of this charge.
3. On \_\_\_\_\_, the defendant entered into a Deferred Prosecution Acceptance Agreement which states that:
  - a. The period of deferred prosecution is \_\_\_\_\_ through \_\_\_\_\_.
  - b. Conditions of deferred prosecution are supervised by Pretrial Services;
  - c. The defendant shall obey all rules and regulations imposed by Pretrial Services;
  - d. The defendant shall not violate any laws;
  - e. The defendant shall remain drug and alcohol free; and
  - f. The defendant is subject to random drug testing at his/her own expense.

In addition, the Court further ordered the defendant to comply with following conditions:

- |  |   |
|--|---|
| _____ Obtain/Maintain Employment                               | _____ Curfew                            |
| _____ Obtain GED/Further Education                             | _____ Drug & Alcohol Assessment         |
| _____ Mental Health Assessment                                 | _____ Report to Pretrial Release Office |
| _____ Complete in-patient substance abuse treatment            | _____ Other                             |
| _____ Attend _____ self-help (such as NA/AA) meetings per week |   |

4. The above-named defendant has failed to comply with the conditions of Deferred Prosecution by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Further Affiant sayeth not.

\_\_\_\_\_  
Pretrial Services Representative, Affiant      Date      Pretrial Services Supervisor      Date

Subscribed and Sworn to me by \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Title  
State at Large, Kentucky

**ORDER**

**IT IS HEREBY ORDERED**, That the Clerk shall:

- Prepare a Bench Warrant for Failure to Comply and that Bond shall be set at \$ \_\_\_\_\_.
- Prepare and Issue a Summons for the Defendant to appear in Court on \_\_\_\_\_.
- No Action will be taken by the Court with regards to the above violations.

SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Judge

Distribution:

- Original-Court File
- Copy- Pretrial Services
- Copy- Commonwealth Attorney
- Copy- Counsel for Defendant