

The Great Escape: How To Get Someone Out of Jail in Tuscaloosa County (Without Dynamite)

- **Bond in General**
 - Rule 7.2 of the Alabama Rules of Criminal Procedure
 - All non-Capital Defendants are entitled to be released on bond.
 - The release may be:
 - Own Recognizance – “O.R.”
 - Appearance Bond
 - Cash Bond – pay it all to the Court
 - Percentage Bond – pay a portion of the total to the Court
 - Bondsman – usually pay the bondsman 10% of the total
 - Property – More equity than the bond amount
- **Tuscaloosa District Court**
 - Felony charge + Misdemeanor
 - DC is releasing the Client on the companion misdemeanor
 - Thus, the Client only has to make bond on the felony
 - Generally, judges like cash bonds because it helps with Court Costs
 - If the Client can make the bond and/or time is of the essence:
 - Bondsman is typically the fastest way to get them out
 - Call the bonding company and they will take care of it:
 - Bonding company contacts the jail, posts the bond, & gets Client
 - Will cost 10% of the bond and the Client will not get that money back
 - Cash bond
 - During business hours: paid to the District Court Clerk
 - After hours or weekend: paid to the jail
 - The money will be applied to Court Costs and fines, balance will be returned to the Client.
 - Ask DC to apply
 - Make oral motion at the bench or file motion
 - Property Bond
 - Must be approved by the Jail
 - 205-752-0616, extension 2
 - Ask for Officer Alexander or a supervisor
 - Bring deed to the jail
 - Must demonstrate that the equity is more than the bond amount
 - Property must be in Alabama – helps if it’s in Tuscaloosa County

- If the Client cannot make the bond and/or time is not of the essence
 - File a Motion to Reduce the bond with the District Court
 - For the most part, cases are divided alphabetically between the judges
 - A-K = Judge Gentry
 - L-Z = Judge Jannik
 - Follow the Standing Order but do the leg work 1st
 - Talk to your Client and determine how much they can make
 - Develop a plan with your Client
 - Treatment?
 - Work?
 - Home?
 - People to help hold them accountable?
 - If it's a Trafficking Charge, it helps to contact the Agent before contacting the DA. The DA is going to ask the Agent anyway, so go ahead and ask 1st.
 - Look at deposition on alacourt to determine the Agent
 - Get DA position on the Motion to Reduce Bond – the DA's position must be in the Motion
 - Check alacourt to see if a Circuit Court DA has been assigned to the case.
 - If so, contact them.
 - If not, contact Hunter Brown (Gentry) or Erin Hardin (Jannik).
 - If there is no response from the DA, state that in the Motion, Court will typically grant the Motion if there is not response after 2 days
 - If the DA objects, there will be hearing within 48 hours
- What goes in the Motion?
 - Tell the Court about your Client
 - Family/work/property ties to the community
 - Lack of a record
 - Lack of violence
 - Otherwise not a danger to the community
 - Tell the Court the plan
 - Drug treatment?
 - Work
 - Living arraignments
 - The Court wants as much assurance as possible that the Client will come to court and not hurt anyone while out

- What to ask for in the Motion
 - Know what the Client can post before going to the judge
 - Both DC judges will almost always agree to a percentage cash bond
 - \$10,000 – 10%
 - Defendant would pay \$1,000 cash to the Court
 - The District Court is considering bond reductions quickly but they require us to do the legwork.
 - Talk to the DA
 - Know what you client can make
 - Have a plan
- **Tuscaloosa Circuit Court**
 - If it's a new charge and the Client cannot make bond, file a Motion to Reduce Bond
 - Same as the Motion filed in DC
 - If the Client's bond has been revoked, it gets trickier
 - Could be in jail until the case is resolved
 - If he or she needs treatment, talk to the DA and the Court about how long they will need to sit.
 - Have the assessment done in the jail.
 - If the Client is indigent, file a Motion for Extraordinary Expenses
 - File Motion to have the Client released to treatment
 - DA (and Court) may want the Client to plead 1st
 - Usually open to having a Client plead and having sentencing or probation determination left open until the Client completes treatment
 - “Just enough rope to hang themselves”
 - If the Client has outstanding writs, he or she will need to appear before the Court
 - Do as much legwork as possible beforehand
 - Treatment?
 - Work?
 - Home?
 - Talk to the DA – and the Court, if possible
 - Courts are much more likely to recall a writ if a person appears willingly with a plan in place.
 - If the Client is in jail because of a revocation from Tuscaloosa County Community Corrections (“TCCC”) or Probation
 - Call TCCC or Probation
 - Would they be willing to let the Client come back?
 - Call the DA
 - Does the Client need treatment?

- Client may have to sit for a while, but he or she may be able to return to TCCC or Probation
 - Will not usually happen unless TCCC or Probation approves

- **Northport Municipal Court**
 - Wednesday: 1:00PM & Friday: 8:00 AM
 - Will not lower bond

- **Tuscaloosa Municipal Court**
 - Monday – Thursday: 8:30 AM & 1:00 PM

- **Relevant phone numbers/contact information:**
 - WANTF: 349-2121, ask for Narcotics
 - Tuscaloosa County DA: 349-1252
 - Tuscaloosa County Community Corrections Program: 759-2137
 - Tuscaloosa Probation Office: 758-5561
 - Tuscaloosa County Jail: 752-0616, extension 2
 - Sheldon Rosenzweig: SLRosenz@gmail.com

- **Attachments**
 - Rule 7.2, Alabama Rules of Criminal Procedure
 - Tuscaloosa District Court Standing Order on Motions to Set/Reduce Bond Amount
 - Defendant's Motion to Re-Instate Bond, with Proposed Order
 - Proposed Release Order
 - Defendant's Motion to Amend Release Conditions, with Proposed Order
 - Motion to Release Defendant, with Proposed Order

Alabama Rules of Criminal Procedure

Rule 7. Release.

Rule 7.2. Right to release on one's personal recognizance or on bond.

(a) BEFORE CONVICTION. Any defendant charged with an offense bailable as a matter of right may be released pending or during trial on his or her personal recognizance or on an appearance bond unless the court or magistrate determines that such a release will not reasonably assure the defendant's appearance as required, or that the defendant's being at large will pose a real and present danger to others or to the public at large. If such a determination is made, the court may impose the least onerous condition or conditions contained in Rule 7.3(b) that will reasonably assure the defendant's appearance or that will eliminate or minimize the risk of harm to others or to the public at large. In making such a determination, the court may take into account the following:

1. The age, background and family ties, relationships and circumstances of the defendant.
2. The defendant's reputation, character, and health.
3. The defendant's prior criminal record, including prior releases on recognizance or on secured appearance bonds, and other pending cases.
4. The identity of responsible members of the community who will vouch for the defendant's reliability.
5. Violence or lack of violence in the alleged commission of the offense.
6. The nature of the offense charged, the apparent probability of conviction, and the likely sentence, insofar as these factors are relevant to the risk of nonappearance.
7. The type of weapon used, e.g., knife, pistol, shotgun, sawed-off shotgun.
8. Threats made against victims and/or witnesses.
9. The value of property taken during the alleged commission of the offense.
10. Whether the property allegedly taken was recovered or not; damage or lack of damage to property allegedly taken.

11. Residence of the defendant, including consideration of real property ownership, and length of residence in his or her place of domicile.
12. In cases where the defendant is charged with a drug offense, evidence of selling or pusher activity should indicate a substantial increase in the amount of bond.
13. Consideration of the defendant's employment status and history, the location of defendant's employment, e.g., whether employed in the county where the alleged offense occurred, and the defendant's financial condition.
14. Any enhancement statutes related to the charged offense.

(b) BAIL SCHEDULE. The following schedule is established as a general rule for circuit, district and municipal courts in setting bail for persons charged with bailable offenses. Except where release is required in the minimum schedule amount pursuant to the Rules of Criminal Procedure, courts should exercise discretion in setting bail above or below the scheduled amounts.

BAIL SCHEDULE

Recommended Range

Felonies:

Capital felony	\$50,000	to	No Bail Allowed
Murder	\$15,000	to	\$ 150,000
Class A felony	\$10,000	to	\$ 60,000
Class B felony	\$ 5,000	to	\$ 30,000
Class C felony	\$ 2,500	to	\$ 15,000
Drug manufacturing and trafficking	\$ 5,000	to	\$1,500,000
Class D felony	\$1,000	to	\$ 10,000

Misdemeanors (not included elsewhere in the schedule):

Class A misdemeanor	\$ 300	to	\$ 6,000
Class B misdemeanor	\$ 300*	to	\$ 3,000
Class C misdemeanor	\$ 300	to	\$ 1,000
Violation	\$ 300	to	\$ 500

Municipal Ordinance Violations	\$ 300	to	\$ 1,000
--------------------------------	--------	----	----------

Traffic-Related Offenses:

DUI	\$ 1,000	to	\$ 7,500
-----	----------	----	----------

Reckless driving	\$ 300	to	\$ 1,000
Speeding	\$ 300	to	\$ 500
Other traffic violations	\$ 300	to	\$ 500

*\$300 was set as the lower limit in compliance with Ala. Code 1975, § 15-13-105, providing that "in violation and misdemeanor cases the minimum amount of bail shall be \$300 for each offense charged."

(c) AFTER CONVICTION AND SENTENCING.

- (1) A defendant who has been convicted of an offense and who for that offense has been sentenced to punishment by death, by life imprisonment, or by imprisonment for a term in excess of twenty (20) years, shall not be released.
- (2) Any defendant who has been convicted of an offense for which the defendant has been sentenced to a term of imprisonment for twenty (20) years or less may be released on a secured appearance bond or on the defendant's personal recognizance,
 - (i) Upon application for release made concurrently with the filing of a notice of appeal, or
 - (ii) If the application for probation is made, upon application for release made at any time before probation has been granted or denied.

(d) DENIAL OF RELEASE. Release shall be denied after conviction and sentencing if the trial court has reason to believe that an appearance bond or conditions of release will not reasonably assure that the defendant will not flee, or that the defendant's being at large poses a real and present danger of harm to any other person or to the public at large, or if at the time the sentence was rendered, the defendant filed a notice of appeal and elected to waive release and to begin serving the sentence.

[Amended 11-30-93, eff 4-1-95; Amended eff. 5-17-95; Amended eff. 8-1-97; Amended 6-21-2007, eff 9-1-2007; Amended 11-22-2016. eff. 1-1-2017.]

Committee Comments

The Eighth Amendment to the United States Constitution provides:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

Art. 1, § 16, Alabama Constitution of 1901, provides:

“That all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and that excessive bail shall not in any case be required.”

See also Ala.Code 1975, § 15-13-2, and -3, for right to bail as a matter of right.

Assuming that the offense is bailable, Rule 7.2 is based on the presumption of innocence of the accused and the policy that a defendant should be released pending trial whenever possible. The defendant is eligible for a recognizance release unless the judge determines that the defendant's presence would not thereby be reasonably assured or that the defendant poses a real and present danger of harm to others. The list of factors to be considered is taken from the ABA, Standards for Criminal Justice, Pretrial Release 10-5.1 (2d ed. 1986).

Section (b) recognizes that after conviction the defendant is no longer presumed innocent and is not entitled admission to bail as a matter of right. If the defendant's sentence is for twenty (20) years or less, he can be admitted to bail, in the judge's discretion, unless the judge has reason to believe that bail will not reasonably assure that the defendant will not flee, or that there is a real and present danger to others posed by the defendant's being at large, thereby modifying Ala.Code 1975, § 12-22-170, which unconditionally allows bail if the sentence does not exceed twenty (20) years.

Under Rule 7.2(b)(2)(i), a convicted defendant may apply for release on an appearance bond or on his personal recognizance at the time of filing a notice of appeal. This changes former practice whereby application for release had to be made with the filing of notice of appeal at the time sentence was rendered (i.e., at the time sentence was pronounced), an unduly restrictive, unfair, and technical trap for the unwary practitioner. See *Ex parte Downer*, 44 Ala.App. 77, 203 So.2d 132 (1967); *Ex parte Rogers*, 53 Ala.App. 245, 298 So.2d 665 (1974); *Ex parte Pennington*, 57 Ala.App. 128, 326 So.2d 656 (1976). For “Appeal as of Right—When Taken,” see A.R.App.P., Rule 4(b). Cf. Fed.R.Crim.P., Rule 46(c).

Rule 7.2(b)(2) allows some discretion to the trial judge in releasing the defendant on bail or on the defendant's personal recognizance. If the defendant has initially filed a notice of appeal at the time sentence was pronounced but elected to waive release and to begin serving the sentence, and thereafter requests that the sentence be suspended, whether to grant bail is left to the discretion of the trial court. There are no cases on this point, and there has been some question whether the trial court retains jurisdiction over the defendant, because the defendant will have already begun serving sentence. However, it is preferable that the trial court make the release decision, because that court is more

familiar with the case, because the record is usually still with the trial court, and because any witnesses would be more readily available to that court.

Rule 7.2(b)(2) conforms with the Alabama Rules of Appellate Procedure. Rule 9(b) of the appellate rules provides: "Release after judgment of conviction shall be governed by Title 15, §§ 368 and 372 [Ala.Code 1975, § 12-22-170]."

Committee Comments to Amendment to Rule 7.2
Effective April 1, 1995

Rule 7.2(a) applies to pretrial release and is based on the presumption of innocence of the accused and the constitutional and statutory right of a defendant charged with a noncapital offense to be released on bail pending trial.

The 8th Amendment to the United States Constitution provides, "Excessive bails shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." The Constitution of Alabama includes the additional guaranty that all defendants charged with noncapital offenses have an absolute right to bail prior to conviction. Article 1, Section 16, Alabama Constitution of 1901, provides:

"That all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and that excessive bail shall not in any case be required."

The allowance of bail as a matter of right prior to conviction is also recognized in Ala.Code 1975, § 15-13-2, and has been held to apply to defendants charged with noncapital offenses who are subsequently arrested for failure to appear on their scheduled court dates.

The provisions of Rule 7.2(a) authorizing judges and magistrates to release defendants charged with bailable offenses on their personal recognizance or an unsecured appearance bond are based on the presumption of innocence of the accused and the policy that a defendant should be released pending trial whenever possible. A defendant charged with an offense that is bailable as a matter of right is eligible for a recognizance release unless the judge or magistrate determines that the defendant's presence would not thereby be reasonably assured or that the defendant poses a real and present danger of harm to others. As used in this rule, "personal recognizance" means a release of the defendant without any condition of an undertaking relating to, or deposit of, security. Such release is distinguishable from release conditioned on the posting of bond or other security.

Subdivision (a) lists certain factors the court may consider when setting bail. This list incorporates the factors previously included in Rule 2, Alabama Rules of Judicial Administration, and is taken from the ABA Standards for Criminal Justice,

Pretrial Release, 10-5.1 (2d ed. 1968), written to ensure that judicial officers not give inordinate weight to the nature of the present charge.

The term “community” as used in subsection (a)(4) shall be liberally construed and not limited to the court’s jurisdiction.

Section (b) of the rule provides a bail schedule for trial courts and magistrates to use in setting bail for persons charged with bailable offenses as set forth in this rule and Rule 18, Alabama Rules of Judicial Administration. The bail schedule, previously contained in Rule 2, Alabama Rules of Judicial Administration, has been revised to reflect legislative changes in the maximum amount of bail for municipal ordinance violations and the incorporation of drug offenses into the Criminal Code and, in some instances, to recognize the increased penalties now authorized for the certain enumerated offenses.

Upon recommendation of the Supreme Court’s Advisory Committee on Rules of Judicial Administration, the Advisory Committee on Criminal Procedure recommended this amendment to Rule 7, Alabama Rules of Criminal Procedure, to incorporate the bail schedule (as amended), which was previously included in Rule 2, Rules of Judicial Administration. It was the consensus of both committees that, with the adoption of the Rules of Criminal Procedure, the bail schedule should be included in Rule 7 of the criminal rules rather than continued in a rule of judicial administration.

Except where release in the minimum scheduled amount is required by law, see, e.g., Rule 4, Alabama Rules of Criminal Procedure, the bail schedule should be regarded only as a discretionary guide.

The bail schedule is based, in part, on the offense classification system established under the Alabama Criminal Code. The “capital felony” category is intended to cover those offenses provided in Article 2 of Chapter 5 of Title 13A, Code of Alabama 1975 (“Alabama Criminal Code”), and amendments thereto. Municipal ordinance infractions are included within the discretionary bail schedule to assist municipal courts and district courts having jurisdiction over municipal ordinance cases in setting bail for persons not released from custody and comports with § 12-14-5, Ala.Code 1975, establishing the maximum bail authorized for municipal ordinance violations. Because drug-related offenses are now included in the Alabama Criminal Code, these offenses are not itemized separately.

Although custodial arrest is not authorized for most traffic offenses, see Ala.Code 1975, § 32-1-4, these offenses are listed within recommended ranges for bail, to serve as a guide in instances where the defendant refuses to sign the promise-to-appear portion of the Uniform Traffic Ticket and Complaint.

Section (c) recognizes that after conviction the defendant is no longer presumed innocent and is not entitled to admission to bail as a matter of right. If a

defendant's sentence is for twenty (20) years or less, the defendant can be admitted to bail, in the judge's discretion, unless the judge has reason to believe that bail will not reasonably assure that the defendant will not flee, or has reason to believe that there is a real and present danger to others posed by the defendant's being at large. Thus, Section (c) modifies Ala.Code 1975, § 12-22-170, which unconditionally allowed bail if the sentence did not exceed twenty (20) years.

Under Rule 7.2(c)(2)(i), a convicted defendant may apply for release on an appearance bond or on the defendant's personal recognizance at the time of filing a notice of appeal. This changes former practice, whereby application for release had to be made with the filing of a notice of appeal at the time the sentence was rendered (i.e., when the sentence was pronounced); that former practice presented an unduly restrictive, unfair, and technical trap for the unwary practitioner. See *Ex parte Downer*, 44 Ala.App. 77, 203 So.2d 132 (1967); *Ex parte Rogers*, 53 Ala.App. 245, 298 So.2d 665 (1974); *Ex parte Pennington*, 57 Ala.App. 128, 326 So.2d 656 (1976). For "Appeal as of Right—When Taken," see A.R.App.P., Rule 4(b). Cf. Fed.R.Crim.P., Rule 46(c).

Rule 7.2(c)(2) allows some discretion to the trial judge in releasing the defendant on bail or on the defendant's personal recognizance. If the defendant initially files a notice of appeal when the sentence is pronounced, but elects to waive release and to begin serving the sentence, and thereafter requests that the sentence be suspended, whether to grant bail is left to the discretion of the trial court. There are no cases on this point, and there has been some question whether the trial court retains jurisdiction over the defendant, since the defendant will have already begun serving the sentence. However, it is preferable that the trial court make the release decision, since that court is more familiar with the case, the record is usually still with the trial court, and any witnesses would be more readily available to that court.

Note from the reporter of decisions: The order amending Rule 7.2(b), effective September 1, 2007, is published in that volume of *Alabama Reporter* that contains Alabama cases from 957 So. 2d.

Note from the reporter of decisions: The order amending Rule 7.2(b), effective January 1, 2017, is published in that volume of *Alabama Reporter* that contains Alabama cases from ____ So. 3d.

DISTRICT COURT
TUSCALOOSA COUNTY, ALABAMA

STANDING ORDER
ON MOTIONS TO SET/REDUCE/AMEND BOND

IT IS HEREBY ORDERED that the following procedure will be followed on motions to set/reduce/amend bond filed in Tuscaloosa County District Court:

1. All motions to set/reduce/amend bond shall be filed through Alafile, as a batch motion in instances where the Defendant has multiple case numbers, and shall include a proposed Order.
2. Defense counsel is required to seek out and set forth in the motion the State's position on the requested bond action. Motions which do not set out the State's position will be summarily denied.
3. If counsel has sought out the position of the State and there has been no reply or response within 2 working days, the Motion should so state. In that instance, the Court will enter an Order advising that if the State does not, within 2 working days, file an objection or opposition setting forth the basis for said opposition, the motion will be deemed unopposed and granted.*
4. Opposed motions will either be ruled upon based upon the facts and information available to the Court in the filings and court record, or will be set for conference or hearing. The hearing may be set at the same time as the preliminary hearing unless that would cause undue hardship on the Defendant.


James E. Gentry, District Court Presiding

*The Court reserves the right to deny even if no objection or opposition is filed, in circumstances where the Court believes it would be improper to grant the requested relief, or for such other reason as the Court deems proper.

IN THE DISTRICT COURT OF TUSCALOOSA, ALABAMA

STATE OF ALABAMA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. DC-2015-XXXX
)	DC-2015-XXXX
XXXXXXXXXX,)	
)	
Defendant.)	

DEFENDANT’S MOTION TO RE-INSTA TE BOND

Comes now the Defendant in the above-styled case, by and through his undersigned attorney, and moves this Honorable Court to re-instate the Defendant’s bond. As grounds therefore, he would aver the following:

1. On April 9, 2015, the Defendant was arrested and charged with one count of Unlawful Possession of Marijuana 1st in DC-2015-XXXX, and Unlawful Possession of a Controlled Substance in DC-2015-XXXX.
2. The Defendant, who has no felony convictions, was released the next day on a \$36,000 bond.
3. Since his release, the Defendant has been continuously employed and he has maintained his studies in the Engineering Department at the University of Alabama; he is scheduled to graduate in December 2015.
4. On September 9, 2015, the Defendant was arrested and charged with Domestic Violence in the 2nd Degree after he allegedly sat on his girlfriend’s stomach and held her neck to a degree that she was unable to breath.
5. He was released that same day, and his parents moved him to their home in XXXX Alabama; the Defendant and his parents planned to have him commute to his classes in Tuscaloosa and to find employment in XXXX.
6. On September 10, 2015, this Honorable Court issued an Order of Arrest for the Defendant after granting the State’s Motion to Revoke the Defendant’s Bond, which was based on his having violated the terms of his release conditions by being charged in the Domestic Violence case.
7. Upon learning that his bond had been revoked, the Defendant voluntarily turned himself into the Tuscaloosa County Jail on September 10, 2015.

8. On September 11, 2015, the alleged Victim in the Defendant's Domestic Violence case contacted the undersigned attorney and stated that she did not want to prosecute the Defendant.
9. The alleged Victim disputed that the Defendant sat on her stomach and held her neck in a manner that caused her not to be able to breathe; further, the alleged Victim asserted that the unfortunate situation that gave rise to the Domestic Violence charge was a situation in which both parties made mistakes and that the alleged Victim does not feel threatened by the Defendant. (The alleged Victim's statement is attached to this Motion.)
10. If the Court re-instates the Defendant's bond, the Defendant will reside with his parents in Winfield, AL, but he will continue to be employed, attend the University of Alabama, and continue to attend all of his court settings.
11. Likewise, the Defendant will participate in an Anger Management class, in addition to counseling with the alleged Victim.
12. The Victim does not wish for the Defendant to be incarcerated.
13. The State of Alabama is opposed to this Motion.

Wherefore, Premises considered, the Defendant prays this honorable Court to re-instate his bond in the above styled cases.

Respectfully submitted this 11th day of September, 2015.

/s/ Daniel F. Pruet
Daniel F. Pruet (PRU-014)
Attorney for the Defendant

OF COUNSEL:

Daniel F. Pruet,
Attorney at Law, LLC
2620 6th Street
Tuscaloosa, AL 35401

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing upon the prosecuting attorney by depositing a copy of same in the Courthouse Box or by electronic filing.

DONE this 11th day of September, 2015.

/s/ Daniel F. Pruet
Daniel F. Pruet (PRU-014)
Attorney for the Defendant

IN THE DISTRICT COURT OF TUSCALOOSA, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

TANNER DOZIER,

Defendant.

)
)
)
)
)
)
)
)
)
)

CASE NO. DC-2015-20803
DC-2015-20804

ORDER

Upon Motion of the Defendant, the Defendant's Bond is hereby re-instated and he is to be released without having to post any additional bond.

District Judge

IN THE DISTRICT COURT OF TUSCALOOSA, ALABAMA

STATE OF ALABAMA,

Plaintiff,

v.

XXXXXXXXXX,

Defendant.

)
)
)
)
)
)
)
)
)
)

CASE NO. DC-2015-XXXX
DC-2015-XXXX

ORDER

Upon Motion of the Defendant, the Defendant's Bond is hereby re-instated and he is to be released without having to post any additional bond.

District Judge

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,)
)
 Plaintiff,)
)
 v.)
)
 XXXXXXXX,)
)
 Defendant.)

CASE NO. CC-2016-XXX MBA
CC-2012-XXX.70 MBA

RELEASE ORDER

Upon motion of his attorney, XXXXXXXX is to be released from the custody of the Tuscaloosa County Jail on Friday July 14, 2017. The Defendant shall be released no later than 5:00 AM, subject to the following conditions:

1. The Defendant shall report directly to the Cedar Lodge treatment facility in Guntersville, AL.
2. The Defendant shall be transported by his family.
3. The Defendant shall comply with all directions of the treatment facility and he shall complete any programs that he is directed to complete.
4. The Defendant shall complete any and all releases necessary for the facility to communicate with the Court.
5. The Defendant shall notify the Court and his attorney immediately upon his release from said treatment facility.

Done this ___ day of July 2017.

Circuit Judge

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,)
)
 Plaintiff,)
)
 v.)
)
 XXXXXXXX)
)
 Defendant.)

CASE NO. CC-2015-XXX MBA

DEFENDANT'S MOTION TO AMEND RELEASE CONDITIONS

Comes now the Defendant in the above-styled case, by and through her undersigned attorney, and respectfully requests that she be released to the custody of the Tuscaloosa County Community Corrections Program and that she be allowed to transfer her supervision to the Mobile County Community Corrections Program. As grounds therefore, the Defendant would assert the following:

1. The Defendant is charged in a multi-count indictment alleging that she aided and abetted another individual during the commission of a Rape and that she participated in a Burglary of an empty apartment; she adamantly disputes the charges.
2. The Defendant is 18 years old.
3. The Defendant has been in custody since November 14, 2014; she is not able to post her bond.
4. The Defendant has been in a group home setting for most of her life, and she would benefit from a structured environment that entails regular reporting and drug screening.
5. The Defendant's God-father, XXXX, has agreed for the Defendant to reside with him in Mobile, AL.
6. XXXX is committed to helping the Defendant gain employment and to ensuring that she attends court.
7. The undersigned has spoken with the Tuscaloosa County Community Corrections Program and the Mobile County Community Corrections Program in order to ensure that the Defendant is eligible for pre-trial monitoring; she has been approved.
8. As such, the Defendant respectfully requests that she be released to the custody of the Tuscaloosa County Community Corrections Program, and that she be allowed to transfer her supervision to the Mobile County Community Corrections Program

Respectfully submitted this the 12^h day of June, 2015.

/s/ Daniel F. Pruet

Daniel F. Pruet (PRU-014)
Attorney for Defendant

OF COUNSEL:

Daniel F. Pruet, Attorney at Law, LLC
2620 6th Street
Tuscaloosa, AL. 35401

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the prosecuting attorney by placing the same in his or her courthouse box, by United States Postal Service, or by electronic filing.

/s/ Daniel F. Pruet

Daniel F. Pruet (PRU-014)

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,)
)
 Plaintiff,)
)
 v.)
)
 XXXXXXXXXXXXXXXX,)
)
 Defendant.)

**CASE NO. CC-2015-XXX MBA
 CC-2015-XXX MBA**

ORDER

Upon oral motion of the Defendant, the Defendant is hereby ordered to be released from the Tuscaloosa County Jail without posting any additional bond, subject to the following conditions:

1. The Defendant is ordered to reside with her mother, XXXXX in Mobile County, AL.
2. The Defendant is ordered to fully comply with the directions of any mental health care providers from whom she receives treatment.
3. The Defendant is ordered to report to and comply with the pre-trial directions of the Mobile County Community Corrections Program. The Defendant is to comply with whatever orders and directions the Mobile County Community Corrections Program deems appropriate including, without being limited to, drug screens and regular reporting. Said Program is to notify the Court and the Defendant’s attorney, Daniel Pruet 205-345-1314, if the Defendant fails to comply with the Program’s orders and directions.
4. The Defendant is to remain in contact with her attorney, Daniel Pruet, and is to notify him immediately if she moves from her mother’s home.
5. The Defendant is to attend all settings of her cases.

Done this 30th day of August 2016.

 Circuit Judge

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. CC-2015-XXX CRM
CRM)	
)	
XXXXXXXXXX,)	
)	
Defendant.)	

MOTION TO RELEASE DEFENDANT

COMES NOW the defendant, XXX, by and through her undersigned attorney, and hereby requests that she be released from the Tuscaloosa County Jail. As grounds therefore, she would assert the following.

1. On March 16, 2015, the Defendant pleaded guilty to Unlawful Possession of a Controlled Substance, and she was placed in the CLEAN Program.
2. On April 23, 2015, the Defendant was voluntarily revoked from the CLEAN Program and placed on supervised probation.
3. The Defendant failed to report to the Alabama Board of Pardons and Paroles.
4. On July 28, 2015, the Alabama Board of Pardons and Paroles filed a delinquency report on the Defendant in regard to her failure to report and to pay Court ordered monies.
5. In the fall of 2015, the Defendant delivered a child, of whom she is the primary care giver.
6. On December 30, 2015, the Defendant was taken into custody; she has remained in the Tuscaloosa County Jail since that time.
7. On January 15, 2016, the Defendant's family paid \$2,504 to the Office of Restitution and Recovery to be applied to the Defendant's Court ordered monies.
8. Deputy District Attorney Sarah Meginniss is not opposed to the Defendant being released as of the date of the filing of this motion; per Ms. Meginniss, the Alabama Board of Pardons and Paroles is also not opposed to the Defendant being released.

9. The Defendant is prepared to report as directed to the Alabama Board of Pardons and Paroles.
10. This case is set on the Court's April 20, 2016, revocation docket, which will afford the Court an opportunity to review the Defendant's progress.

WHEREFORE, premises considered, the Defendant respectfully requests that she be released from the custody of the Tuscaloosa County Jail.

Respectfully submitted this 20th day of January 2016.

/s/ Daniel F. Pruet
Daniel F. Pruet (PRU-014)

OF COUNSEL:

Daniel F. Pruet, Attorney at Law, LLC
2620 6th Street
Tuscaloosa, Alabama 35401
(205) 345-1314

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing upon the attorney for the State of Alabama by depositing a copy of same in the United States Mail, properly addressed and first class postage prepaid, or by placing a copy of same in their Courthouse Box, properly addressed, or by electronic filing.

Done this 20th day of January 2016.

/s/ Daniel F. Pruet
OF COUNSEL

IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA

STATE OF ALABAMA,

Plaintiff,

**v.
CRM**

XXXXXXXX,

Defendant.

CASE NO. CC-2015-XXX

ORDER

The Defendant is due to be released from the Tuscaloosa County Jail without having to post any additional bond.

Done this the 20th day of January 2016.

Circuit Judge