

AFFIDAVIT FOR PROSECUTION OF WORTHLESS CHECK
(PLEASE PRINT)

STATE OF KANSAS, COUNTY OF _____, SS:

COMES NOW _____, of lawful age and being first duly sworn on oath states the following:

On the ____ day of _____, 202__, the attached check was given to _____
_____ in their capacity as an owner/employee/manager of
_____, whose business address is _____,
_____, in Franklin County, Kansas and whose current home address is _____
_____. The name of the check writer is _____.

_____ can personally identify the passer of the check through the following means: _____,

this information must be completed - PLEASE WRITE THE DL/SS# IN SPACE PROVIDED.

Names, addresses, and telephone numbers of witnesses having knowledge of the passage of the attached check are: _____
_____.

At the time the check was made or passed, the maker or passer did not indicate by word or action they had no deposit in or credits with such bank or that they did not have sufficient funds in or credits with such bank for the payment of the check in full

The party receiving the check was not requested to hold the check.

There was no delay in depositing said check or presenting the same for payment; rather, that said check was deposited or presented for payment in the usual course of business.

The amount of the check is \$ _____.

When the check was returned unpaid from the drawee bank, a person identified as _____, who can be served with subpoena at _____, _____, did on the ____ day of _____, 202__, give notice to the maker of the check by ***certified mail, return-receipt-requested-restricted delivery***, by a letter which was sent to the maker at the address which appeared upon the check, advising the maker that the check had been returned from the drawee unpaid and marked insufficient funds/account closed, and further warned the maker that if they did not pay the holder the amount due thereon and a

service charge of thirty (\$30.00) dollars within seven (7) days after notice had been given, it would be presented to the Franklin County Attorney for criminal prosecution.

The holder of the check also gave notice to the maker by the following means:

The attached check is being submitted to the Franklin County Attorney for the purpose of prosecution and not collection; no payment on said check has been accepted nor will be accepted by the holder, their agents or employees without the prior knowledge and approval of the Franklin County Attorney; the determination of the manner of prosecution or dismissal thereof is in the sole discretion of the Franklin County Attorney; and the said check has not been in the possession of a collection agent or agency.

Further, I understand under the provisions of K.S.A. 21-3709, causing an unlawful prosecution for a worthless check is a Class A misdemeanor.

Wherefore, I affirm that I have read the above and foregoing statements; that I understand the contents thereof; and that all statements herein are true and correct to the best of my knowledge.

Whereupon I affix my signature hereto this ____ day of _____, 202_, in _____, _____ County, Kansas.

FURTHER AFFIANT SAITH NAUGHT.

AFFIANT

(title) (name of business) (complete address) (telephone number)

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 202_.

NOTARY PUBLIC

My Appointment Expires: _____