



Twentieth Judicial State Attorney
Bad Check Restitution Program
Post Office Box 6904
Fort Myers, FL 33911-6904
(Postal Address Only)

INSTRUCTIONS FOR FILING A BAD CHECK COMPLAINT FORM

- **PRINT CLEARLY**
- All required signatures must be in original ink. Signatures cannot be photocopied.
- Include the ORIGINAL Check or LEGAL CERTIFIED COPY of Check from the bank with your complaint, and a copy of the 15-day statutory letter you sent the check writer if applicable.
- Keep a copy of all paperwork for your records.
- Call Victim Services at 1-800-832-1131 if you have any questions or want to find out the status of your bad check complaint.
- Mail your completed bad check complaint form(s), original check(s), copy of 15-day statutory letter, and any other documentation to the address provided on top of the complaint form.
- Page 3 is a sample of the Bad check Complaint form. You can use this example as a guide when filling out your Bad Check Complaints.

When filling out a Bad Check Complaint form, please note the following:

- Fill out all sections of the complaint form.
- Fill out one complaint form for each check you are filing.
- All three questions at the top of the complaint must be marked either “YES” or “NO”.

- Provide as much information as you have about the bad check writer-name, address, telephone #, driver's license # and the state of issuance, etc.
 - For out-of-state checks, provide the vital statistics of the check writer.
 - Provide requested information regarding the check such as the check number, date the check was written, check amount and list what the check was for (Goods, Services, etc.).
 - Provide the **First and Last Name** of the person who accepted the check.
 - Answer the question, can the person accepting check personally identify check writer "YES" or "NO".
 - Complete your store or individual information as the victim, including your phone number and/or extension.
 - List address where check was accepted if different from victim address.
 - Person filing complaint form **MUST INITIAL** the statement which reads: I understand I must NOT accept restitution from the check writer after filing this complaint with the Bad Check Restitution Program unless I'm notified the suspect has failed this program and the case is being reviewed for criminal prosecution.
 - Complete the affidavit of mailing if the check is stamped Non Sufficient Funds (NSF). The affidavit of mailing is your sworn testimony that the first class mail, **15-day statutory letter** was mailed to the person who signed the check and mailed to the address on their check. If the check writer gives a different address to you when the check was passed, send the statutory letter to both addresses. The date on the affidavit of mailing your statutory letter to the check writer must be the same date that is on your 15-day letter.
- Note:* If the bank stamp on the check is Account Closed (AC), the 15-day statutory letter and affidavit of mailing are **NOT** required.
- Sign your name as the person filing the complaint, print your name legibly, and the date you filled out the complaint. The notary should sign and stamp their seal at the bottom of the form.

BAD CHECK COMPLAINT FORM

STEPHEN B. RUSSELL

TWENTIETH JUDICIAL CIRCUIT STATE ATTORNEY

FILE COMPLAINTS BY MAIL TO: P.O. BOX 6904, FORT MYERS, FL 33911-6904
(postal address only)

MERCHANT CARE HOTLINE: (800) 832-1131 ■ REFER CHECK WRITER TO: (800) 832-0709

FORMS AVAILABLE FOR FILING ON LINE: WWW.SAO.CJIS20.ORG

PLEASE ANSWER THE FOLLOWING QUESTIONS, PRINT ALL INFORMATION IN INK AND SIGN AND NOTARIZE BELOW

1. Was check post-dated Yes No 2. Were you asked to hold or delay depositing check(s)? Yes No

3. Does this involve a three-party check? Yes No

A YES answer to any of the above questions indicates this matter is ineligible for filing. Please contact the nearest civil / small claims court for instruction on how to proceed. Prior to submitting your check, a Statutory Notice MUST be sent to the check writer, see reverse side for instructions. A check stamped ACCOUNT CLOSED does not need a statutory notice. Attach original check, copy of statutory notice, and any other paperwork involving this complaint.

Check writer's first and last name: **John T. Smith** (The person who signed the check not the business name)

Address(es): **1000 Runaway Lane**

City: **Fort Myers** State: **FL** Zip: **33901** Home Phone #: **239-000-000** Other Phone #: **NA**

SS #: **000-00-0000** Sex: **X** M F Race: **White** DOB: **01/01/1951** Age: **56** Height: **5' 05"**

DL#: **S000-000-00-000-0** State: **FL** IF OUT OF STATE DL# YOU MUST PROVIDE VITAL STATISTICS ON SUSPECT

Check #: **1000** Date check written: **01-31-2007** Amount of check: **\$20.25** What was check for: **Food**

Person who accepted check FIRST and LAST name, not cashier number: **Betty Flintson**

Can the person who accepted the check personally identify the check writer? Yes No

Victim and/or Firm Name: **Bugs Bunny Enterprise** Phone: **239-000-0000** Ext: **NA**

Victim Address: **1500 Bunny Boulevard** City: **Fort Myers** State: **FL** Zip: **33901**

Email Address: **Bugsy@heyyou.com** Fax: **239-000-0001**

Address where check was accepted if different from above address: **Same address**

I understand I must NOT accept restitution from the check writer after filing this complaint with the Bad Check Restitution Program unless I'm notified the suspect has failed this program and the case is being reviewed for criminal prosecution. Initial here **DD**

AFFIDAVIT OF MAILING

I, **Daffy Duck** (Name of person making affidavit), do hereby swear or affirm that I sent the 15-day statutory notice to **John T. Smith** (Person who signed check) to the listed address on check on **February, 15th, 2007**, by first-class United States Mail.

I HAVE READ ALL FILING INSTRUCTIONS, AND HEREBY CERTIFY UNDER PENALTY OF PERJURY, THAT ALL INFORMATION IN THIS COMPLAINT IS TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PERSON FILING OR MAKING AFFIDAVIT OF MAILING: ***Daffy Duck***

** PRINT NAME: **Daffy Duck** DATE FILED: **March, 10th, 2007**

Sworn and subscribed before me this **10th** day of **March, 2007**

Notary Public: **Elmer Fudd**

Seal: **Notary Stamp**