



**BOB DILLINGER**  
**PUBLIC DEFENDER**  
**SIXTH JUDICIAL CIRCUIT OF FLORIDA**  
www.wearethehope.org

RE: Motion to Modify or Terminate Probation or Community Control

Please find attached a sample format to be used in a Motion to Modify or Terminate Probation or Community Control. This matter is *related* to your criminal case, but we cannot represent you unless the Judge appoints us to do so.

You will need to complete the pleadings with all of the appropriate information in the spaces provided, including: your name, case number, and the trial section in which your case was heard. Where indicated, circle the parts that apply to you and fill in the blank spaces. The Order should be completed with your name, case number, and section, but the signature line for the judge must remain blank. The judge will sign the Order in court.

In most sections, you must contact the judicial assistant of the judge whose section handled your case and request a date for the motion to be heard. Once the judicial assistant provides a date for the hearing, complete the Notice of Hearing. To locate the correct judicial assistant, click on the following link: <http://www.jud6.org/ContactInformation/JudgesPhoneNumbers.html>

You must file the Motion, Order, and Notice of Hearing with the Clerk of the Circuit Court.

You must then send a *copy* of the Motion and the Notice of Hearing to the Office of the State Attorney and your probation or community control officer.

It is important that you bring with you to court all verification of any special conditions of probation/community control that you have completed. Be sure to keep copies of all of the documents.

Sincerely,

BOB DILLINGER  
PUBLIC DEFENDER  
SIXTH JUDICIAL CIRCUIT

**ATTORNEY/CLIENT PRIVILEGE APPLIES**

## INSTRUCTIONS

Please follow these instructions in order to properly prepare your motion for modification or termination of probation. Although this matter is *related* to your criminal case, this office cannot represent you unless the judge appoints us to do so.

You will need to complete all of the attached forms as follows:

1. Please fill in your name, case number, and section on all of the attached documents (the Notice of Hearing, Motion and Order).
2. Fill in the blanks in the Motion, Order and Notice of Hearing. Words in **bold** and separated by a slash ( / ) signal a choice. You must circle one the options. For example, if your case was a felony case, it was heard in the Circuit Court. Circle the word "CIRCUIT" in the heading of the MOTION, NOTICE OF HEARING and ORDER.
3. Contact the judge's judicial assistant in order to get a hearing date on your motion.
4. Once you have a hearing date, fill it in on the Notice of Hearing.
5. You must sign the Notice and Motion (**do not sign the Order**).
6. Once the documents are completed, you must:
  - A) File the **ORIGINAL** motion, order and notice with the Clerk's Office.
  - B) Send a **COPY** of the motion and notice to the State Attorney's Office.
  - C) Send a **COPY** of the motion and notice to your probation/community control officer.
7. When you come to court, bring the documents that verify the conditions you claim have been completed.
8. Be sure to keep copies of all documents for your records.

IN THE **CIRCUIT / COUNTY** COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR **PINELLAS / PASCO** COUNTY, FLORIDA

STATE OF FLORIDA

CASE NUMBER: \_\_\_\_\_

v.

\_\_\_\_\_

SECTION: \_\_\_\_\_

NOTICE OF HEARING

TO: STATE ATTORNEY'S OFFICE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YOU ARE HEREBY NOTIFIED that the undersigned will call up the motion listed below for hearing and argument before the Honorable Judge \_\_\_\_\_, in the **Clearwater / New Port Richey / Dade City** courthouse, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ **a.m. / p.m.** or as soon thereafter as may be heard.

MOTION TO **MODIFY / TERMINATE PROBATION / COMMUNITY CONTROL**

DATED at **Pinellas / Pasco** County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
DEFENDANT, PRO SE

cc: \_\_\_\_\_  
Probation/Community Control Officer

IN THE **CIRCUIT / COUNTY** COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR **PINELLAS / PASCO** COUNTY, FLORIDA

STATE OF FLORIDA

CASE NUMBER: \_\_\_\_\_

v.

\_\_\_\_\_ SECTION: \_\_\_\_\_

**DEFENDANT'S PRO SE MOTION TO MODIFY / TERMINATE**  
**PROBATION /COMMUNITY CONTROL**

COMES NOW the Defendant, PRO SE, and moves this Honorable Court to **Modify / Terminate his / her Probation / Community Control**, and in support of this motion states:

1. Defendant was placed on **probation / community control** on \_\_\_\_\_.
2. The period of supervision was for \_\_\_\_\_ **months / years**.
3. During that period of supervision **there were no / there were** violation papers filed.
4. All conditions of the supervision **have / have not** been completed.
5. The probation/community control officer **does / does not** object to an early **modification / termination** of supervision.
6. The probation/community control officer's name is \_\_\_\_\_.

WHEREFORE, Defendant respectfully requests this Honorable Court grant this Motion and issue an Order **modifying / terminating the probation / community control** in this case.

I HEREBY CERTIFY that a true and correct copy of the foregoing motion has been furnished to the State Attorney's Office, **Clearwater / New Port Richey / Dade City**, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
DEFENDANT, PRO SE

cc: \_\_\_\_\_  
Probation/Community Control Officer

IN THE **CIRCUIT / COUNTY** COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR **PINELLAS / PASCO** COUNTY, FLORIDA

STATE OF FLORIDA

CASE NUMBER: \_\_\_\_\_

v.

\_\_\_\_\_

SECTION: \_\_\_\_\_

**ORDER MODIFYING / TERMINATING PROBATION / COMMUNITY CONTROL**

THIS CAUSE having been heard by the Court upon the Defendant's Pro Se Motion to **Modify / Terminate Probation / Community Control**, and the Court, after hearing argument of counsel, and being otherwise fully advised in the premises therein, it is hereby:

ORDERED AND ADJUDGED that the Defendant's Motion to **Modify / Terminate Probation / Community Control** is hereby \_\_\_\_\_.

DONE AND ORDERED at **Clearwater / New Port Richey / Dade City, Pinellas / Pasco** County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**CIRCUIT / COUNTY COURT JUDGE**  
**SIXTH JUDICIAL CIRCUIT**  
**PINELLAS / PASCO COUNTY, FLORIDA**

COPIES TO:  
Defendant, Pro Se  
State Attorney's Office  
Department of Corrections