

*Law Offices of
LISA B. McLEAN
Public Defender
Thirteenth Judicial Circuit of Florida
700 East Twiggs Street, Fifth Floor
P.O. Box 172910
Tampa, Florida 33672-0910*

REVISED 08/15/17

RE: Pro se Motion to Modify or Terminate Probation or Community Control

Motions to modify or terminate your probation or community control are *related* to your criminal case, but the Public Defender **cannot file these motions for you or represent you in your hearing** unless the Court appoints us to do so. There are *three* forms attached to that we hope will help you with this matter: (1) Defendant's Motion to Modify/Terminate Probation/Community Control; (2) Notice of Hearing; (3) Order Modifying/Terminating Probation/Community Control.

INSTRUCTIONS FOR PREPARING AND FILING YOUR MOTION

1. Contact your probation officer to let him/her know you will be filing this motion and find out if your probation officer has any objection to the motion.
2. Call the judicial assistant in your assigned division for special instructions and/or requirements to process your request. Access to the court's contact via their website: <http://www.fljud13.org/JudicialDirectory.aspx>
3. Fill out all of the attached forms correctly.
 - In each document's "heading," circle either COUNTY (for Misdemeanor cases) or CIRCUIT (for Felony cases)
 - Write in your name, case number, and the court division.
 - Fill in all of the spaces where you see a "_____"
 - Where you see words separated by a slash mark (/), you need to circle one of the words.
 - Write the current date in the last paragraph of the Motion and Notice of Hearing.

****DO NOT** fill in the court date or time on the Notice of Hearing until you have instructions from the judicial assistant.

 - Sign on the line above "DEFENDANT, PRO SE" on the Motion and Notice of Hearing.
 - Write your telephone number and address in the blanks below your signature.
 - Write the name and telephone number for your probation officer.

****DO NOT** sign and **DO NOT** write a date on the Order. The judge will sign and date the order in court.
4. Once you have the specific instructions from the court, **make 4 copies** of the Motion and Notice of Hearing.

Keep a copy of the Motion and Notice of Hearing for yourself.

Mail a copy of the Motion and Notice of Hearing to each party listed below:

- Clerk of Court:
 - Downtown Tampa: 800 E. Twiggs Street, Room 101/1st Floor Lobby, Tampa, FL 33602
 - Plant City: 301 N Michigan Avenue, Room 1071/1st Floor Lobby, Plant City, FL 33563
 - State Attorney:
 - Downtown Tampa: 419 N. Pierce Street, Tampa, Florida 33602
 - Plant City: 301 N Michigan Avenue, Room 1022, Plant City, FL 33563
 - Your probation officer
 - The judge (the Clerk of Court has an interoffice drop box for the judges)
5. When you go to court, bring your copy of the Motion, Notice of Hearing, and Order. You should also bring copies of all other documents related to your case, including all verification of completed conditions of your probation or community control.

IF YOU NEED MORE HELP, you can call the HILLSBOROUGH COUNTY BAR LAWYER REFERRAL SERVICE at (813) 221-7780. You can also send an email to lrs@hillsbar.com.

IN THE COUNTY / CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

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

COMES NOW the Defendant, *pro se* and moves this Court to **Modify / Terminate** the Defendant's **Probation / Community Control**, and in support of this motion states:

1. Defendant was placed on **probation / community control** on _____.
(date sentenced)
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. I am requesting the Court to **modify / terminate** supervision in this case for the following reason(s):

6. The assigned probation officer **does / does not** object to **modification / early termination** of supervision.
7. Contact information for the probation officer in this case is:

Name: _____ Telephone: (____) _____

8. This officer was given a copy of this motion by the Defendant on _____.
(date)

WHEREFORE, the Defendant respectfully requests this 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 Office of the State Attorney, 419 North Pierce Street, Tampa, Florida, this ____ day of _____, 20__.

Respectfully submitted,

DEFENDANT (Signature)

Telephone: (____) _____

Address: _____

IN THE **COUNTY / CIRCUIT** COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

NOTICE OF HEARING

TO: SUSAN S. LOPEZ
OFFICE OF THE STATE ATTORNEY
419 N. PIERCE STREET
TAMPA, FLORIDA 33602

YOU ARE HEREBY NOTIFIED that the motion listed below has been scheduled for hearing before
Judge _____, in courtroom # _____, on the _____ day of _____, 20____
at ____: ____ **a.m.** / **p.m.** or as soon thereafter as may be heard.

PRO SE MOTION TO MODIFY / TERMINATE

DEFENDANT'S PROBATION / COMMUNITY CONTROL

DATED at Tampa, Hillsborough County, Florida this ____ day of _____, 20____.

Respectfully submitted,

DEFENDANT (Signature)

Telephone: (____) _____

Address: _____

Courtesy Copy to Judge and Probation Officer

IN THE **COUNTY / CIRCUIT** COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NUMBER: _____

vs.

DIVISION: _____

DEFENDANT, *pro se*

**ORDER MODIFYING / TERMINATING
DEFENDANT'S PROBATION / COMMUNITY CONTROL**

THIS CAUSE, having come before the Court on the Pro Se Motion to **Modify / Terminate** Defendant's **Probation / Community Control**. This Court, having received and reviewed the recommendations from the **Department of Corrections / Hillsborough County Sheriff Probation Services**, taken testimony, and being otherwise fully advised in the premises therein, it is hereby:

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

GRANTED – DENIED

DONE AND ORDERED at Tampa, Hillsborough County, Florida, this ____ day of _____, 20__.

CIRCUIT/COUNTY COURT JUDGE

Copies furnished to:

Defendant, *pro se*
Office of the State Attorney
Department of Corrections / HCSO