



Office of Nikki Alvarez-Sowles, Esq. Pasco County Clerk & Comptroller

Affidavit of Defense Instructions

The Affidavit of Defense is designed for individuals who are unable to appear in court on a traffic infraction. Upon completion, this Affidavit will substitute your appearance in Court.

This affidavit cannot be used for a mandatory infraction citation or a criminal traffic citation.

1. Print or type all information.
2. Sign and have Affidavit notarized. (The Affidavit cannot be used as a sworn statement if it is not notarized).
3. Post a cash bond in the statutory amount of your citation along with a \$7 non-refundable processing fee, made payable to Nikki Alvarez-Sowles, Esq., Pasco County Clerk & Comptroller no later than 5 business days prior to the court date. The statutory amount is located on the citation; however if you are unable to determine the amount, please contact our office.
4. Return completed Affidavit of Defense along with payment for the cash bond/processing fee to the appropriate address below:

Traffic Violations Bureau
P.O. Box 338
New Port Richey, FL 34656-0338
Telephone: (727) 847-8031, option 2

Traffic Violations Bureau
38053 Live Oak Avenue
Dade City, FL 33523-3805
Telephone: (352) 521-4542, option 2

You will be advised by mail of the decision rendered by the Court and any fine or costs imposed will be deducted from the cash bond or you may be required to send additional monies. If your case is dismissed, a refund will be mailed to you in the amount of the cash bond minus the \$7 non-refundable processing fee.

IN THE COUNTY COURT FOR THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

DEFENDANT NAME: _____

CITATION NO.: _____

AFFIDAVIT OF DEFENSE

Before me, personally appeared _____, who after first being placed under oath, swears or affirms as follows:

1. My name, address, and telephone number is:

Name: _____

Address: _____

Telephone No.: _____

2. I received the above numbered complaint charging me with:

_____ on _____ at _____ a.m. p.m.

(Note: This is not an admission that you violated any law.)

3. At the time of the alleged violation, I was driving a _____

in a _____ direction on _____ in Pasco County, Florida.

4. I am leaving Pasco County on _____

unable to attend in person and my hearing date is scheduled for _____ at _____ a.m. p.m. at the following court location: Robert D. Sumner Judicial Center West Pasco Judicial Center

5. Check **only one** as your plea:

I hereby plead **NOT GUILTY** and file this affidavit of defense as my sworn statement herein. I understand that when I plead not guilty, I do not have to supply any further statement. I understand that by my filing this affidavit, the hearing officer or judge will have to make a decision as to whether I committed the alleged violation by the sworn testimony of the witnesses, other evidence, and my statement. I understand that I am waiving my personal appearance at the final hearing of this matter.

I hereby plead **GUILTY** and file this affidavit as an explanation of what happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine the appropriate sentence and decide whether to adjudicate me guilty.

I hereby plead **NO CONTEST** and file this affidavit as an explanation of what happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. By pleading no contest, I understand that I am not admitting or denying that the infraction was committed but do not contest the charges and I understand that I may be sentenced and found guilty even though I entered a plea of no contest. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine any appropriate sentence and decide whether to adjudicate me guilty.

6. Defendant's Statement: (Additional papers, documents, photos, etc. can be attached but should be mentioned herein.) If more space is needed for explanation, use reverse side.

Affiant/Defendant

Parent or Guardian if affiant is under the age of 18

AFFIDAVIT ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this _____ day of _____, _____ by _____ personally known to me (or who has produced _____ as identification) and who appeared to me by physical presence by means of audio-video communication technology and who did did not take an oath.

NOTARY PUBLIC or DEPUTY CLERK
Name: _____

Commission No.: _____

My Commission Expires: _____