**CCL. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**THE STATE OF TEXAS COUNTY**

VS. **COURT OF LAW**

**EVIDENCE PROPERTY COUNTY, TEXAS**

**MOTION FOR SUMMARY FORFEITURE  
AND/OR DESTRUCTION OF EVIDENCE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, [Custodian Name], a Custodian of Property for the [Law Enforcement Agency], of the State of [State] and moves the Court to order the summary forfeiture or destruction of evidence seized in [County] by the [Law Enforcement Agency] and would show as follows:

**I.**

The evidence sought to be forfeited or destroyed is described in the attached **Exhibit A**, which is incorporated herein for all purposes.

**II.**

The above-described evidence is subject to summary forfeiture or destruction under the provisions of the Code of Criminal Procedures for the following reasons:

**\_\_\_\_\_** All criminal proceedings against any and all defendants are final.

**\_\_\_\_\_**  No criminal or other proceedings are pending concerning said evidence, and none will be filed.

**\_\_\_\_\_\_** The above-described evidence should be summarily forfeited and destroyed or otherwise disposed of, and an Order to do so is hereby requested.

WHEREFORE, premises considered, [Law Enforcement Agency] respectfully prays that this Court enter its order to summarily forfeit the above-described evidence and further enter an Order for destruction/disposal of the same by [Law Enforcement Agency], the seizing agency.

Custodian of Property  
[Law Enforcement Agency]

**CCL. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**THE STATE OF TEXAS COUNTY**

VS. **COURT OF LAW**

**EVIDENCE PROPERTY COUNTY, TEXAS**

**ORDER FOR SUMMARY FORFEITURE AND/OR DESTRUCTION OF EVIDENCE  
UNDER THE CODE OF CRIMINAL PROCEDURE**

The Court having considered the foregoing Motion finds that it should in all things be granted.

It is therefore **ORDERED** that all evidence described in **Exhibit “A”**, attached to the motion for summary forfeiture filed in connection herewith, shall be summarily forfeited to the State or destroyed/disposed of by [Law Enforcement Agency], the seizing agency.

It is further ordered that said Motion and Order be recorded in the minutes of the Court or under the appropriate case number.

Signed and entered this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***, 20***.

Judge Presiding

**DESTRUCTION OF SUMMARILY FORFEITED EVIDENCE**

COMES NOW, [Law Enforcement Agency], the seizing agency, and shows the Court that, pursuant to the Court’s order of summary forfeiture or destruction of evidence described in **Exhibit A** attached to the State’s Motion, the said evidence was destroyed, sent to auction, or transferred to agency/city use on the \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_***, 20***, by [Law Enforcement Agency], the seizing agency.

Title: [Law Enforcement Agency]

Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**EXHIBIT A**

[Insert detailed description of evidence here]