

APPEARANCE BOND FOR A MATERIAL WITNESS

AUSA Approval: _____

United States District Court	Southern District of California
United States of America v.	Crim. Case No.
	Magis. Case No.

We, _____ and _____, post this bond and
 (name of surety) (name of material witness)
 acknowledge we and our personal representatives are bound to pay the United States of America according to the terms of conditions of this bond the sum of \$ _____, and there has been deposited in the Registry of the Court the sum of \$ _____ in cash. This bond is conditioned upon and posted to secure the appearance of material witness: _____ to testify as a witness in the case noted above, before the assigned United States Magistrate Judge or District Judge, in the United States District Court for the Southern District of California, at San Diego, California, and at such other places as the material witness may be required to appear in accordance with any and all court orders and directions given or issued by the Magistrate Judge or any District Judge relating to the material witness' appearance in the case noted above, whether the case remains in this district or is transferred to any other district. The appearance bond further secures the above noted material witness' compliance with every court order, including surrendering to the United States Marshal's Service or Department of Homeland Security (DHS) when directed to do so.

The surety named below understands he or she is responsible for the material witness appearing in court, and for the material witness complying with every condition of the bond, and with all orders and directives issued by the court. By signing this bond, the material witness and the surety understand and agree to its terms and conditions, including the conditions of material witness pretrial release, a copy of which is attached.

If the material witness adheres to and performs every condition of this bond, appears at court and at the United States Marshal's Service or Department of Homeland Security as directed or ordered and surrenders to the Department of Homeland Security as directed or ordered, this bond shall be exonerated; but if the material witness fails to perform any condition of this bond, fails to appear at court as directed or ordered, fails to comply with any other bond condition, or fails to surrender to the Department of Homeland Security as ordered, payment of this bond shall be due immediately. Any Magistrate Judge or District Judge authorized to preside over the case noted above may declare a forfeiture of this bond if the material witness breaches any condition of this bond. If the bond is forfeited and the forfeiture is not set aside or remitted, a judgment may be entered upon a motion filed in the United States District Court for the Southern District of California against the surety for the amount stated above, with costs and interest added, and execution of the judgment may be issued or payment secured as provided by the Federal Rules of Criminal Procedure and the other laws of the United States.

Material Witness' Signature: _____ Surety's Signature: _____
 Surety's Home Address: _____
 Material Witness' U.S. Address: _____

Acknowledgment: The surety noted above signed this bond before me, _____,
 (print name of person witnessing surety's signature)
 on _____, at _____.
 (date) (city/state)

My address is: _____

Signature Of Person Witnessing Surety's Signature: _____ Dated: _____

Bond Approved: _____, **United States Magistrate Judge or District Judge**

AFFIDAVIT BY THE OWNER OF THE CASH SECURITY FOR THIS BOND

I, _____, state that I reside
(print name of owner of cash)

at _____, and that
I am the owner of the \$ _____ cash deposited in the Registry of the Court as security for this bond.
That money is to be returned to me at the address noted here upon the exoneration of this bond.

I consent to subjecting those funds to the Local Court Rules of the United States District Court for the Southern District of California pertaining to bonds, and I consent, upon receiving notice of not less than ten days, to proceeding summarily to the rendering of a judgment against that cash security upon the breach of a condition under this bond or by the contumacy of the material witness.

Dated: _____

Signature of the Owner of the Cash Security

FINANCIAL JUSTIFICATION OF THE SURETY

I, _____, state under penalty of perjury under the laws of
(print name of surety)
the United States of America, that I have a net worth of at least \$ _____, and that I reside at
_____.

Dated: _____

Signature of the Surety

SURETY AGREEMENT

I understand by signing this bond I will be responsible for the material witness' appearance in court and for his or her compliance with any and all conditions of the release, a copy of which is attached to this bond, and orders as directed by the court, including an order to surrender to the United States Marshal's Service or the Department of Homeland Security. If the material witness does not appear in court as ordered or does not comply with the conditions of the release and any court orders, or does not surrender to the United States Marshal's Service or the Department of Homeland Security, I will be required to pay the full amount of the bond, and any cash security I posted with the court may be taken by the United States Government to partially satisfy the obligation of this bond, and a judgment may be entered against me for the full amount of the bond.

Dated: _____

Signature of the Surety