Original – Court, 1st Copy – Prosecutor, 2nd Copy – Accused, Other copies as needed

Enter information in block letters in all parts of the Form except when reserved for Court use, which shall be completed by the Clerk.

|  |  |
| --- | --- |
| (Judicial Region)  METC/MTCC/MTC/MCTC Case No.  RTC         (Municipality/City/Province)  BRANCH | For Court Use Only |
| People of the Philippines , v.  ,  *Accused.* |
| ATTORNEY OR PARTY WITHOUT ATTORNEY  *Name* ­­­  *Firm Name*  *Address*  *Email Address*  *Tel./Cel./Fax Nos.*  *PTR No.*       *Date/Place of Issuance*  *Roll No.*       *Date/Place of Issuance*  *IBP No.*       *Lifetime* *Date/Chapter*  *MCLE* *Compliance* *Exemption No.*  *Other Compliances* ­­­­­­­­­  *Attorney for*  *Prosecution:* *Public Prosecutor* *Private Prosecutor*  *Defense:* *Public Attorney* *Private Counsel*  *Other* |

**MOTION TO LIFT WARRANT AND REINSTATE BOND**

Accused,      , states

1. The Court issued a Warrant of Arrest against the accused for his failure to appear at the hearing on      .
2. The accused moves for the lifting of the Warrant of Arrest dated       as his non-appearance was not intentional because      .
3. The Court likewise forfeited the       bond of the accused for such non-appearance. The accused also moves for its reinstatement.
4. The accused undertakes to be present at all subsequent settings in this case.

     

Accused Date

PROOF OF SERVICE

A copy of this Motion was served upon parties and/or their counsel(s) on       via

Personal Service

Facsimile or other Electronic Means

and received by the parties and/or their counsel(s) on      .

Proof of such service is attached to this Motion as Annex      .

Date Party/Party’s Counsel’s Signature

NOTICE OF HEARING

Public Prosecutor

Address

Private Complainant

Address

GREETINGS: Please take notice that the foregoing Motion shall be submitted for the consideration and approval of the Honorable Court on       at      .

Counsel for Accused

**PUBLIC PROSECUTOR’S COMMENT**

No objection.

No objection provided the amount of bond is increased to      .

No objection provided new bond is posted in the amount of      .

I object because      .

Name & Signature of Public Prosecutor

**ORDER**

After a review of the Motion and the Public Prosecutor’s Comment, the Motion is:

GRANTED. The Warrant of Arrest dated       against accused is lifted and

his       bond is reinstated.

he is required to post a new bond in the original amount.

he is required to post a new bond in the increased amount of      .

DENIED.       *(state reason)*

SO ORDERED.

Judge Date

COPY FURNISHED

|  |  |  |  |
| --- | --- | --- | --- |
| Person’s Name | Method | Place Served | Date Served |
| Trial Prosecutor | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Counsel for Accused | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Private Complainant | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
| Accused | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
|  | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |
|  | Personal Service  Courier Service  Facsimile, Email, SMS |  |  |

SPECIAL INSTRUCTIONS

*Amount of Bail*

The judge who issued the warrant or granted the application shall fix a reasonable amount of bail considering primarily, but not limited to, the following factors:

1. Financial ability of the accused to give bail;
2. Nature and circumstances of the offense;
3. Penalty for the offense charged;
4. Character and reputation of the accused;
5. Age and health of the accused;
6. Weight of the evidence against the accused;
7. Probability of the accused appearing at the trial;
8. Forfeiture of other bail;
9. The fact that accused was a fugitive from justice when arrested; and
10. Pendency of other cases where the accused is on bail.

Excessive bail shall not be required. (Section 9, Rule 114, ROC)

*When Bail may not be Reduced*

If the accused does not have the financial ability to post the amount of bail that the court initially fixed, he may move for its reduction, submitting for that purpose such documents or affidavits as may warrant the reduction he seeks. The hearing of this motion shall enjoy priority in the hearing of cases. (Section 3, A.M. No. 12-11-2-SC)