

CAUSE NO. _____

IN RE:	§	IN THE MUNICIPAL COURT
	§	
	§	CITY OF PFLUGERVILLE
	§	
UNDISCLOSED AMOUNT OF US CURRENCY	§	
	§	TRAVIS COUNTY, T E X A S

MOTION FOR PROPERTY DISPOSITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through the City Prosecutor for the City of Pflugerville, files this Motion for the Property Disposition, pursuant to Texas Code of Criminal Procedure §§ 18.10, 18.11, and 18.17, and would show this Honorable Court the following:

Parties

The Movant is the State of Texas, which appears and proceeds through the City Prosecutor for the City of Pflugerville.

The Respondents are unknown persons who may claim an interest in the proceeds.

Notice

Simultaneously with the filing of this matter, notice has been issued pursuant to Texas Code of Criminal Procedure §§ 18.17(b) and (c) causing notice to be circulated in the municipality where the money is held.

Investigation

US Currency was seized in the course of the investigation by Pflugerville Police Department while assisting the Texas Comptroller's Office at the premises located at _____

Connie Street, Pflugerville, Texas 78728. The residence was identified as a place in which gambling devices and equipment were being operated.

After identification of the location where the activity was taking place, Pflugerville Police Officers, assisting the Texas State Comptroller's Office executed the warrant that was issued on September 23rd, 2010, at approximately 1313 hours and collected U.S. Currency in the investigation.

Property

US Currency, believed to be involved in illegal activities was found and placed in evidence.

Property Disposition

Texas Code of Criminal Procedure § 18.11 requires property seized pursuant to a search warrant be kept as provided by the order of a magistrate in accordance with Texas Code of Criminal Procedure §18.10. Texas Code of Criminal Procedure § 18.10 requires the officer who seized the property to retain custody of it until the magistrate issues an order approving the removal of the property.

Because the property has a fair market value of more than \$500, and the owner is unknown, notice, as required by Texas Code of Criminal Procedure 18.17(c) shall be issued and a copy provided to the Court. If one or more purported owners make claim for the property, a hearing will be requested for the purported owners to establish ownership to the satisfaction of the Court.

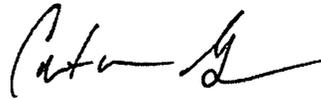
In the event no purported owner establishes ownership, the State of Texas respectfully requests the court dispose of the proceeds by ordering the proceeds to be deposited in the treasury of the municipality as provided by law.

Prayer

Therefore, the State of Texas respectfully requests that the court set a hearing with reasonable notice to the State and any purported owner making claim within the notice period provided by Texas Code of Criminal Procedure § 18.17(c), and that the court dispose of the property at the hearing, either to the purported owner who demonstrates ownership to the satisfaction of the court, or alternatively, order the funds deposited in the treasury of the municipality as provided by law.

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