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**St. Joseph County Prosecuting Attorney
Bad Check Restitution Program**

5776 Grape RD STE 51 PMB 245
Mishawaka, IN 46545-8460

Michael A. Dvorak
Prosecuting Attorney

OFFICIAL NOTICE

Date of Notice: 07/22/2004



Case #:

IN 46545-6354

PLEASE READ THIS NOTICE CAREFULLY. The St. Joseph County Prosecuting Attorney's Office has received a CRIME REPORT alleging a violation of Indiana Criminal Code 35-43-5-5 or 35-43-4-2; issuing an insufficient Fund or No Account Check. A conviction under this statute is punishable by a fine of up to \$10,000.00, and/or three years in jail. See PART 2 of the information pages attached to this Notice about the party(s) filing this crime report.

YOU MAY AVOID A COURT APPEARANCE if you agree to enroll in the St. Joseph County Prosecuting Attorney's Bad Check Restitution Program. This Office will agree to refrain from initiating prosecution proceedings for those individuals that comply with the following Program requirements:

1. Complete the St. Joseph County Prosecuting Attorney's mandatory one-day educational class on Financial Accountability.
2. Pay FULL restitution for all reported checks, PLUS all applicable administrative, returned item, and program fees.

Program enrollment is OPTIONAL. You may wish to consult an attorney to obtain legal advice about your rights in regards to this matter. The Prosecuting Attorney is extending an opportunity to participate in a program as an alternative to appearing in court. The Prosecuting Attorney does not require you to enter any form of plea in exchange for Program participation, and participation is NOT an admission of guilt.

The Bad Check Restitution Program is designed to bring a fast resolution to this matter. Program completion requires payment of the appropriate restitution and fees and attendance in a one-day class, typically 8:00am - 4:30pm on a Saturday. If you successfully comply, you will receive a notice of completion from the Prosecuting Attorney and THERE WILL BE NO PERMANENT CRIMINAL, POLICE, OR COURT RECORD OF THIS MATTER!

WARNING - Completion of the Bad Check Restitution Program is valid ONLY if you comply with ALL Prosecuting Attorney requirements. Failure to comply with payment of restitution and fees, or class attendance may subject you to criminal court proceedings.

For Program enrollment and payment information, please review PART 1 of the next page. If you believe you received this Notice in error, please read PART 3 of the instructions before calling this office.

PLEASE DIRECT ALL QUESTIONS TO (866)592-8356.

Signed,

Michael A. Dvorak
Prosecuting Attorney

PART 1 - PROGRAM ENROLLMENT

IF YOU WISH TO ENROLL IN THE PROSECUTING ATTORNEY'S BAD CHECK RESTITUTION PROGRAM, COMPLETE THE ENROLLMENT FORM BELOW:

ENROLLMENT FORM
(Please Return This Page With Your Payment)

Case #:

Name: MARIA HAMILTON

TOTAL BALANCE DUE: \$251.98

Address: _____

Phone: _____

City/State/Zip _____

DL#: _____

SS#: _____

Is this a new address?

Date of Birth: ____/____/____

Select Payment Option Below:

- I wish to PAY IN FULL by August 21, 2004 and deduct \$25.00 from the Program Fee. I have deducted \$25.00 from the TOTAL BALANCE DUE and I am enclosing \$226.98.
- I am requesting an automatic payment extension. I am enclosing \$125.99 which is 1/2 of the total balance by August 21, 2004 and the remaining balance of \$125.99 will be paid by September 20, 2004.

ALL PAYMENTS MUST BE POSTMARKED BY THE DATES INDICATED! For additional information regarding payments, please call (866)592-8356.

Make payments payable to:

St. Joseph County Prosecuting Attorney
5776 Grape RD STE 51 PMB 245
Mishawaka, IN 46545-8460

NOTE: Mail payments by MONEY ORDER, or
CASHIER'S CHECK ONLY!
NO PERSONAL CHECKS ACCEPTED!

In addition to paying all restitution and fees, you must complete a course on financial accountability.

Once the program fees have been paid, you will receive the **Checks & Balances Personal Study Program** workbook. Follow all "Program Guidelines" in the workbook.

By my signature I hereby enroll in the Bad Check Restitution Program and agree to all terms and conditions.

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PART 2 - CRIME REPORT INFORMATION

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VICTIM	CHECK #	CHECK AMOUNT	PROTEST FEE	SERVICE FEE	TOTAL THIS CHECK
BIG LOTS 386	nd	\$29.48	\$27.50	\$35.00	\$91.98

PROGRAM FEE: \$160.00

TOTAL BALANCE DUE: \$251.98

NOTE: You may deduct \$25.00 from the Program Fee if your FULL PAYMENT is POSTMARKED by: August 21, 2004.

**Do not attempt to contact the business or party who filed the Report.
THIS CASE MUST NOW BE RESOLVED THROUGH THIS OFFICE!**

PART 3 - IMPORTANT INFORMATION

Please Read Carefully

● IF YOU BELIEVE YOU RECEIVED THIS NOTICE IN ERROR

- STEP 1 - Review your records CAREFULLY.
- STEP 2 - Call the Prosecuting Attorney's Bad Check Restitution Program Office at **(866)592-8356**.
- STEP 3 - Ask for a Case Coordinator, explain the error.
- STEP 4 - The Case Coordinator will ask you to mail in documentation of the error. If you did not write the check(s), you will be asked to go to your bank to obtain and sign an affidavit that you did not write the check(s) in question. In most cases, you will also be required to file a police report if you believe the check(s) were stolen or forged. With cases involving stop payments on checks, or performance disputes, please consult a Case Coordinator for more information.
- STEP 5 - Mail in your case documentation to the: **St. Joseph County Prosecuting Attorney
Bad Check Restitution Program
5776 Grape RD STE 51 PMB 245
Mishawaka, IN 46545-8460**

Note: Personal bankruptcies DO NOT void responsibility in a criminal matter. Contact our office for details, or consult an attorney.

● IF YOU BELIEVE YOU WERE NOT PROPERLY NOTIFIED

The Prosecuting Attorney's Office accepts ONLY bad check crime reports from those businesses, or parties that have DOCUMENTED attempts to notify you according to Indiana State law. In addition to notification from the party you issued the check to, banks routinely send customers notice of returned items. Non-sufficient funds checks also appear on your monthly account statement. **CHECK YOUR RECORDS CAREFULLY BEFORE CONTACTING THIS OFFICE.**

● IF YOU HAVE ALREADY PAID THE MERCHANT, OR FILING PARTY

Please mail documentation that the merchant or filing party received payment BEFORE the date of this Notice. Allow the Office fourteen (14) days to process your information before calling. Our Office will determine the appropriate course of action and contact you by phone and/or letter.

● IF YOU WANT TO APPEAR IN COURT

If you want to contest this action and appear in court, **you may want to consult an attorney.** Contact this office and inform us of your decision.

FOR ADDITIONAL INFORMATION CALL (866)592-8356