

**AFFIDAVIT FOR PROSECUTION OF GIVING A
WORTHLESS CHECK IN VIOLATION OF K.S.A. 21-5821.**

COMES NOW the undersigned Affiant, having been sworn on oath, and under penalty of perjury provides as follows:

1. On _____, 20____, check #_____, was issued, or delivered to _____, the Payee, in Cherokee County, Kansas.
2. Said check was written in the amount of \$_____.
3. Said check was drawn on an account at the following financial institution:_____
4. Said check was dated_____.
5. Said check was purported to have been made and signed by _____.
6. Said check was personally accepted by _____, as Payee, or as an authorized agent of Payee.
7. Said check was received as payment in return for the following merchandise and/or services:_____.
8. Said check was not postdated and the Payee had no information at the time said check was delivered to believe the maker of said check did not have sufficient funds on deposit with said financial institution for payment of said check.
9. The person delivering said check did not request Payee delay depositing said check or presenting it for payment.
10. The maker or person presenting said check did not borrow money from the payee, or the payee's employer.
11. Said check was not given as security for a loan or debt.

12. Said check was not given for a gambling debt.

13. The following person has been positively identified as the person delivering the check:

_____, by the following means:

- Personal knowledge of person receiving check;
- Government issued identification provided by the person issuing or delivering said check;
- Reviewing surveillance video and/or photographs; and/or
- Other: _____

15. Said check was returned by the financial institution on which it was drawn, due to:

- insufficient funds;
- account closed; or
- other: _____

16. The following evidence exists to establish the check was issued, or delivered by a person

knowing there were insufficient funds and with intent to defraud as follows:

- Said person failed to present full payment for the returned check, including service charge of up to \$30, within 7 days of having been provided notice the check was returned
- Other: _____

17. The person who issued or delivered the check was given notice of the returned check in the following manner:

- Notice was not given.
- Oral notice was given in person by _____ on _____, 20__.
- Oral notice was given by phone by _____ on _____, 20__.
- Written notice was given in person by _____ on _____, 20__.
- Written notice was given by mail, certified with restricted delivery, return receipt requested at the address listed on the check on _____, 20__.
- Other: _____

18. Additional witnesses necessary for prosecution of this offense, including address and phone number are: _____

Signature

Printed

Phone number

State of Kansas)
) ss:
County of Cherokee)

Signed and attested before me this ____ day of _____, 20__.

Notary Public

My appointment expires: _____