Platte County and Prosecuting Attorney 718 9th Street PO Box 877 Wheatland, WY 82201

RE: Receipt of a Bad Check

*Blank Notice of Insufficient Funds Check (as prescribed by the WY Supreme Court) can be picked up at the Sheriff's Office and a list of things that must be done **BEFORE** you can turn this matter over to the county attorney for prosecution.

- 1. Fill in your name as the Plaintiff
- 2. Fill in the name of the person who gave you the bad check as the Defendant
- 3. Date the Notice of Insufficient Funds Check on the day you intend to mail/serve the Notice on the Defendant.
- 4. In the blank spaces entitled "To:", put the Defendant's name, address, city, state and zip. (If you intend to serve by mail, you may use a P.O. Box. However, if you intend to have the Sheriff serve the Notice, you will need the Defendant's physical address.)
- 5. Fill in the check number, the date of the bad check, the amount of the check, payable to you, and the bank upon which the check was written.
- 6. On the reverse side of the Notice, fill in the amount of the check, the charge your bank charged you for the returned check, and EITHER the Sheriff's Service Fee of \$35.00 (which you must prepay to the Sheriff) or the cost of serving the Notice by Certified Mail, Return Receipt. Add the extra charges to the amount of the bad check and enter that amount in the "TOTAL DUE WITHIN FIVE DAYS" blank.
- 7. Sign the Notice and make yourself a copy, mail it and a <u>copy</u> of the original check, or take it to the Sheriff for service. (Platte County Sheriff, 850 Maple, Wheatland, WY 82201)
- 8. You will receive proof of service of the Notice on the Defendant either: 1) by receiving the green certified mail, return receipt card back from the post office showing the date the Defendant signed for the letter; or 2) the Sheriff will have filled out the Certificate of Service on the bottom of page two of the Notice.
- 9. From the date of service of the Notice, the Defendant has five days to pay you the total amount due (amount of the check, returned check charges, and either sheriff's fee or certified mail fee). If the Defendant pays you the total amount due either in cash or certified funds, you then deliver the bad check to the Defendant for his disposal.
- 10. If after <u>five days</u> of the service of the Notice, the Defendant has not paid the total amount due, you then bring the bad check, the Notice and your proof of service to the county attorney for the filing of criminal charges against the Defendant.

Please feel free to call the County Attorney's office at 322-2045 with any questions.

STATE OF WYOMING)	
COUNTY OF PLATTE) ss	
Plaintiff)	
Vs.	
)	
Defendant)	
, and the second	
NOTICE OF INSUF	FICIENT FUNDS
To:	Date:
	_
	-
You are hereby notified that your check (nu	umber, dated, in
You are hereby notified that your check (nu the sum of \$, payable to the order ofBank, was p	upon the
because the drawer has insufficient funds or crecheck and commits fraud by check." "§6-3-702(b) provides that check fraud is (i) A misdemeanor punishable by imprisfine of not more than seven hundred fifty dollar was for a sum of less than one thousand dollars (ii) Repealed by laws 1984, ch.44, § 3.	s: sonment for not more than six (6) months, a is (\$750.00), or both, if the fraudulent check (\$1,000); or it for not more than ten (10) years, a fine of r both, if the fraudulent check was for the if the offender is convicted of fraud by within any sixty (60) day period in the state
AMOUNT OF CHECK	\$
RETURNED CHECK CHARGE	\$
SHERIFF'S SERVICE FEE	\$
CERTIFIED MAIL FEE	\$
TOTAL	\$
The total amount noted above is due and pa	ayable directly to the Plaintiff within five (5)

days of the service of this Notice, or criminal charges may be filed.

"§6-3-703(a) Any of the following is prima facie evidence that the person at the time he issued the check or other order for the payment of money intended that it should not be paid:

- Proof that at the time of issuance he did not have an account with the (i) drawee:
- (ii) Proof that at the time of issuance he did not have sufficient funds with the drawee and that he failed to pay the check or other order within five (5) days after receiving notice of on payment or dishonor, personally given or sent to the address shown on the check or other order; or
- Proof that when presentment was made in a reasonable time the issuer did (iii) not have sufficient funds with the drawee and he failed to pay the check or other order within five (5) days after receiving notice of nonpayment or dishonor, personally given or sent to the address shown on the check or other order.

"§6-3-703(b) Proof the drawer opened an account with the drawee on a certain date shall be considered evidence of the drawer's knowledge of the account balance on that date."

	Signed:
	Plaintiff
	Address
	City, State, Zip Code
	CERTIFICATE OF SERVICE
I,	, do hereby certify that I served the of Insufficient Funds Check onby mg two methods:
() mailing a true	and correct copy hereof to by Certified Mail, Return
Receipt Requested	d, Deliver to Addressee Only, on day of
	()Plaintiff or () Other Adult Witness
() delivering a tru	ue and correct copy hereof to
	in person on the
day of	
	Sheriff/Deputy ofCounty, WY
	By: