*Form AG-103 – Rev. Dec. 16, 2020 (For escapees, probation and parole violators.)*

**AG-103**

**APPLICATION FOR REQUISITION**

(To be made in triplicate)

**To the Governor of the State of Kansas***:*

I respectfully request that you issue a formal requisition demand of the Governor of [ASYLUM STATE] for the apprehension and rendition of [full name of Fugitive in CAPITAL LETTERS] who, on [DATE OF CONVICTION], was convicted by virtue of the final judgment and sentence in this County and State of the commission of the crime(s) of [LIST OFFENSE(S) OF CONVICTION] and thereafter violated the terms and conditions of [ ]  probation [ ]  post-release supervision [ ]  parole as appears from the accompanying proof, particularly the annexed Motion for Revocation and Affidavit of [NAME & TITLE OF AFFIANT] submitted herewith, and who, as appears from that document, is a fugitive from the justice of this State.

Your petitioner verily believes [full name of Fugitive in CAPITAL LETTERS] is now under arrest in the County of [ASYLYM COUNTY] in the State of [ASYLUM STATE], and has refused to waive extradition. The grounds for such belief are:

[*Briefly set out information received such as correspondence, telegrams, etc., including the* ***DATE OF ARREST & DATE OF FIRST APPEARANCE*** *in the asylum state*]

Your petitioner verily believes [Full name of the Fugitive in CAPITAL LETTERS] is next set to appear in [NAME OF ASYLUM STATE COURT] on [DATE OF NEXT COURT APPEARANCE].

The ends of justice, in my opinion, require the fugitive defendant be brought back to this State for trial at the public expense. In support of this application, I herewith present duly certified copies of the Kansas Sentencing Guidelines Journal Entry of Judgment, Orders of Probation, Motion for Probation Revocation and Affidavit of [NAME & TITLE OF AFFIANT] which allege the facts required to be established, along with photographs and/or fingerprint cards, all of which are authentic and properly authenticated in accordance with the laws of this state; and that the copies of the papers submitted herewith have been compared with each other and are in all respects exact counterparts of this application and accompanying documents.

I nominate [COUNTY SHERIFF], or his/her designated officer or agent, of said County, as proper person to be appointed and commissioned by you as the agent of the State of Kansas to receive the said accused when apprehended, and bring him/her to this State and deliver him/her into the custody of the Sheriff of said County. I also certify that the above nominee has no private interest in the proposed arrest.

**AFFIDAVIT OF APPLICANT**

STATE OF KANSAS )

 ) ss

COUNTY OF )

 I, [NAME OF PROSECUTING ATTORNEY], being first duly sworn upon oath, deposes and states:

1. I am a [ ]  duly-elected District/County [ ]  duly-appointed Deputy [ ]  duly-appointed Assistant prosecuting attorney for [KANSAS COUNTY NAME], Kansas, which is part of the [NUMBER OF JUDICIAL DISTRICT] District of Kansas.

2. **I HEREBY CERTIFY** that I have carefully examined the case, and believe that the facts stated in the accompanying proof relating to the fugitive’s conviction of the offenses, and the subsequent probation violation are true; that the ends of public justice require that the Fugitive be brought back to this state at public expense; and this application is made in good faith and not for the purpose of enforcing the collection of any debt or for any private purpose, and that if the fugitive is returned to this state the criminal proceedings will not be used for any of these purposes. I further certify that no other application has been made for a requisition for the fugitive growing out of the facts and circumstances upon which this application is made.

3. I further state that the Honorable [NAME OF JUDGE], District Court Judge of the [NUMBER OF JUDICIAL DISTRICT] of the State of Kansas issued a warrant for the arrest of [NAME OF FUGITIVE] upon allegations of violating conditions of [ ]  probation [ ]  post-release supervision [ ]  parole

 [ ]  District/County Attorney

 [ ]  Deputy District/County Attorney

 [ ]  Assistant District/County Attorney

 Subscribed and sword before me this \_\_\_\_\_ day of , 20\_\_

 Judge of the District Court

 Judicial District

**JUDICIAL FINDING OF PROBABLE CAUSE FOR EXTRADITION**

 After review of the information contained in the Court’s file, the application for requisition, and affidavit submitted by [NAME OF PROSECUTOR], I find there is sufficient probable cause to request extradition of:

[NAME OF FUGITIVE]

Case Number [CASE NUMBER]

Date of Birth: [FUGITIVE’S DATE OF BIRTH]

[ ]  - Defendant is wanted on criminal charges he/she has not yet been advised on.

[ ]  - Defendant is wanted for Failure to Appear

[ ]  - Defendant is wanted for Failure to Comply with terms of Probation

 Judge of the District Court

 Judicial District

***NOTE***: *The affidavit of probable cause must be sworn to before a JUDGE or MAGISTRATE*.

STATE OF KANSAS )

 )

OFFICE OF THE ATTORNEY GENERAL )

Topeka, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_

I have carefully examined the above and foregoing application for a requisition, and the accompanying papers thereto attached. It is my opinion, based upon such examination, that the application is in due for and complies with all the requirements of the law and the rules of interstate rendition of fugitives from justice, and that it would be proper for you as Governor to grant the application. I therefore approve the papers and advise for issuance of the requisition therein requested.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney General

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Assistant Attorney General

***NOTE:*** *Hereafter attach to the application court certified copies of the Kansas Sentencing Guidelines Journal Entry of Judgment, Orders of Probation with Conditions, Motion for Probation Revocation, Affidavit of the supervising officer, and Arrest Warrant.*