County Court District Court				
Court Address:				
State of Colorado				
v				
Defendant:	COURT USE ONLY			
Attorney or Party Without Attorney (Name and Address):		Case Number		
Phone Number:	E-mail:			
FAX Number:	Atty. Reg. #:	Division		
		Courtroom		
NOTICE OF WITHDRAWAL OF INTENT TO PURSUE COLLECTION BY VICTIM				

Pursuant to §16-18.5-107, C.R.S., as amended, the below named person(s) or entity hereby notifies the Court, the Collections Investigator, and the Department of Corrections, if Defendant was sentenced thereto, of his or her WITHDRAWAL of intent to pursue collection of restitution in his or her own name. It is further stated that:

- 1. The below named person is a victim in whose name a restitution order has been entered by this Court.
- 2. Such order was entered on \_\_\_\_\_ (date of order).
- 3. The amount of outstanding restitution still owed to this victim as shown by the victim's record is \$\_\_\_\_\_ (attach Notice of Direct Payments of Restitution (JDF 242) with Proof of Payments).
- 4. The below named person wishes to exercise his or her right to withdraw from pursuit of collection of restitution in his or her own name pursuant to §16-18.5-107, C.R.S., as amended.
- The Notice of Withdrawal of Intent to Pursue Collection by Victim was delivered to the Clerk of the Court and, if the Defendant was sentenced to the Department of Corrections, to the Executive Director of the Department of Corrections on \_\_\_\_\_\_ (date delivered).
- 6. The below named person understands that the court will resume intercepts and other collection measures in attempting to collect the restitution obligation.
- 7. The below named person understands that all funds paid into the case prior to the filing of this form will remain as they were applied, whether applied to fines, fees, costs, surcharges or restitution due to another victim.
- 8. The below named person is aware that the restitution balance may be subject to interest, pursuant to §18-1.3-603(4)(b)(1),C.R.S. The court will begin to calculate and assess this interest, as applicable, based on the remaining amount of restitution due along with any other victims in this case. It is also understood that this interest is simple interest and that payments received will reduce the principal restitution balance until that amount is paid in full.

- 9. The below named person understands that, in order to enable the court to assess interest for the duration of time between the filing of their Notice of Intent to Pursue Collections by Victim (JDF 229) and of this withdrawal, a completed Notice of Direct Payments of Restitution (JDF 242), including dates, amounts, and forms of payment, along with proof of payments, must also be filed.
- 10. The below named person shall notify the collections investigator of this court of any notice that the Defendant has filed for bankruptcy within ten days of receipt of such notice.
- 11. Upon receipt of this Notice of Withdrawal the Collections Investigator and the Department of Corrections shall pursue collection of restitution pursuant to Article 18.5 of Title 16, C.R.S., as amended.
- 12. The below named person shall, within twenty-one days after the payment in full of all restitution owed, file the <u>Notice of Direct Payments of Restitution</u> (JDF 242). In addition, in the event that a transcript of the order for restitution has been recorded in the real estate records of any county in Colorado, the below named person shall obtain a Satisfaction of Judgment, issued by the Clerk of Court, and file it with each clerk and recorder where a transcript was recorded within the same twenty-one day period. The Satisfaction of Judgment shall be conclusive evidence that any lien was extinguished.
- 13. The below named person elects the following:

Any restitution or interest payments applied on their behalf shall be sent to the address listed at the end of this document (a valid mailing address must be included in this instance).

Any restitution or interest payments applied on their behalf shall be held and paid to the local VALE Board as unclaimed restitution. They understand that the Defendant is still obligated to pay the court ordered restitution, but no longer wish to receive any payments.

 $\Box$  By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

	Signature		
(Printed name of Victim)	Signature of Victim		Date
Petitioner's Address	City	State	Zip Code
(Area Code) Home Telephone Number	Area Code) Work Telephone Number		