STATE OF INDIANA

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

In The Matter Of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

A Child Alleged to be a Delinquent Child

**PROSECUTOR'S MOTION FOR PRESUMPTIVE WAIVER OF JUVENILE JURISDICTION OVER CHILD PREVIOUSLY CONVICTED OF FELONY**

**OR NON-TRAFFIC MISDEMEANOR**

 [I.C. 31-30-3-6]

The State of Indiana, by the undersigned Deputy/Prosecuting Attorney, hereby alleges and represents to the Court as follows:

(1) That said child, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, was born \_\_\_\_\_\_\_\_ and was under eighteen (18) years of age at the time of commission of the alleged offense.

(2) That said child is subject to the jurisdiction of the Juvenile Court herein by virtue of a Petition Alleging Delinquency filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(3) That the act charged would be a felony if committed by an adult.

(4) That there is probable cause to believe said child committed said act.

(5) That on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court in the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, said child was previously convicted of a felony or non-traffic misde­meanor, to-wit: [*State the felony or non-traffic misdemeanor and Class Felony/Misdemeanor here:*]

WHEREFORE, your petitioner requests that a hearing be set by the Court to determine whether juvenile jurisdiction should be waived herein, and that after said hearing that the Court waive juvenile jurisdiction over the offense charged herein to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, a Court that would have jurisdiction over the offense if that act were committed by an adult, and said waiver to be for the offense charged and any lesser included offense.

Dated:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Deputy/Prosecuting Attorney for the \_\_\_\_\_\_\_\_\_\_\_\_ Judicial Circuit of Indiana