
TEN-DAY NOTICE PURSUANT TO IOWA CODE §714.1(6)

TO: Name _____

Address _____

YOU ARE HEREBY NOTIFIED that check number _____, dated _____, _____, in the amount of \$ _____ was given in exchange for merchandise, cash and/or services. Said draft was written upon the Bank of _____, Iowa, and has been returned to us because said bank has refused to honor it, either because of "Insufficient Funds" or "No Account".

YOU ARE FURTHER NOTIFIED that the giving of a check and receiving of property, cash, or services in exchange therefore, knowing that the check would not be paid by the bank, is a criminal offense. Iowa Code §714.1(6) provides that if notice of nonpayment is given to the check writer and the check is not then paid within ten (10) days, the court and jury may properly conclude that the check writer knew that the check would not be paid. The Iowa Code also provides that if the check is not paid because there is no account, the court and jury may properly conclude that the writer knew the check would not be paid.

THIS IS YOUR NOTICE TO PAY THE ABOVE CHECK WITHIN TEN DAYS OR THE MATTER WILL BE REFERRED TO AUTHORITIES FOR CRIMINAL PROSECUTION.

YOU ARE FUTHER ADVISED that:

1. Theft in the First Degree is the theft of property exceeding \$10,000. It is a class "C" felony punishable by up to ten years imprisonment, a \$10,000 fine or both.
2. Theft in the Second Degree is the theft of property exceeding \$1000 but not exceeding \$10,000. It is a class "D" felony punishable by up to five years imprisonment, a \$7,500 fine or both.
3. Theft in the Third Degree is the theft of property exceeding \$500 but not exceeding \$1000. It is an aggravated misdemeanor punishable by up to two years imprisonment, a \$6,250 fine or both.
4. Theft in the Fourth Degree is the theft of property exceeding \$200 but not exceeding \$500. It is a serious misdemeanor punishable by up to one year of imprisonment or \$1,875 fine, or both.
5. Theft in the Fifth Degree is the theft of property not exceeding \$200. It is a simple misdemeanor punishable by up to 30 days in jail or a \$625 fine.

In addition to those penalties, the Court will also impose a 35% surcharge, a Law Enforcement Initiative surcharge of \$125, court costs and victim restitution.

_____ Signature of person sending notice

_____ Date notice is sent

_____ Name of business/person who received check

_____ Address to which payment must be remitted