

REQUIREMENTS WHEN FILING COMPLAINT

1. The complainant (person making the complaint) must, in good faith, make full, fair and honest disclosure of all facts and circumstances known to him/her at the time the complaint is made. The facts, as presented, must be in the form of an affidavit and signed under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
2. The complainant must appear in court to testify against the defendant if the charges are contested (the accused pleads not guilty and a trial is held).
3. If the defendant is found guilty, the maximum sentence that may be assessed in Municipal Court is a fine plus court costs and fees (no jail time). The defendant may appeal the case to a higher court.
4. The defendant may file a counter-complaint if the complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a prosecutor or other city investigative person may be used against you should the counter-complaint go forward to trial. Please be advised that when speaking to the prosecutor, that the prosecutor represents the state and no attorney-client relationship is established by any communications with regard to the application for complaint or any matters related thereto.
5. Once a case is filed, only a Municipal Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
6. The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering a peace officer to bring the citizen-complainant to court.

I have read and agree to the above requirements.

COMPLAINANT'S SIGNATURE
(Person making the complaint)

DATE

Information about you:

Name: _____

Address: _____ City, State, Zip: _____

Phone Number: _____ Work Number: _____

Email Address (if any): _____

Witness Information (if any):

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Vehicle Information (if applicable):

Year: _____ Make: _____ Model: _____ Body Style: _____ Color: _____

State of Registration: _____ License Plate Number: _____ Special Features: _____

I swear that the statements made herein are within my personal knowledge and are true and correct.

Printed Name of Person Making Complaint

Signature of Person Making Complaint

Date

Sworn to me on this the _____ day of _____, 20____.

Deputy Court Clerk OR

Notary Public for the State of Texas

My Commission Expires: _____

DO NOT WRITE BELOW THIS LINE

Reviewed by: _____ (Prosecutor/Investigator)

File Charge: ☐ Yes ☐ No

Charged Offense/Offense Number: _____

On this, the _____ day of _____, 20 _____. I hereby acknowledge that I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

Magistrate, Municipal Court, Austin, Texas