

IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

**The applicant MUST present their valid picture I.D. when turning in this paperwork.
There are NO EXCEPTIONS.**

Georgia State Law (O.C.G.A. §17-4-40) sets forth the procedure for the court to follow when someone who is not a police officer applies for the arrest of another person. That law requires the court to schedule the application for a hearing and notify the person whose arrest is sought about the hearing. A copy of your application will be provided to the accused. The judge will decide whether or not to issue an arrest warrant after the hearing.

- Completed arrest warrant applications may be filed in the Magistrate Court Clerk's office between 8:00 a.m. -10:45 a.m. and 1:00 p.m. - 2:45 p.m. weekdays (excluding county-recognized holidays).
- State Law (O.C.G.A. §15-10-82 as amended by HB1055) sets a filing fee of \$20.00 for each arrest warrant application you file except in cases of domestic violence, stalking, and certain sex crimes. The fee is NON-REFUNDABLE.
- The fee to recall a warrant is \$100.00.
- The applicant must provide the full name, complete current address, complete date of birth, and a physical description of the person whose arrest is sought. If you file an application without this information, the Judge will deny your application. If you are missing any of this information, you need law enforcement assistance.
- The applicant must fill out a separate application for each person whose arrest is sought.
- The alleged crime must have occurred in Clayton County, Georgia.
- If you have been charged with a crime, you cannot apply to arrest the victim of the crime.
- If the person has already been criminally charged or a previous warrant application has been denied or dismissed, you may not file a warrant application on that same set of facts.
- The applicant does not have the right to see a Magistrate Judge.
- This application can only result in the arrest and detention of another person. It will not cause property or children to be returned to you and you will not receive money damages.
- Employees in the Clerk's office, employees in the Judge's office, and the Magistrate judges themselves are prohibited by state laws and regulations from providing legal advice. If you have questions about your legal rights, legal remedies available to you, or what legal documents to file and where to file them, you must contact an attorney.

I have read and understand the above information regarding arrest warrant applications.

Signature of Applicant

C:\Users\diane.christian\Documents\Magistrate Court\Arrest Package\Criminal.wpd

Date

MAGISTRATE COURT OF CLAYTON COUNTY
APPLICATION FOR CRIMINAL ARREST WARRANT
FEE FOR HEARING APPLICATION: \$20.00
FEE TO RECALL WARRANT: \$100.00
NOTE: PRINT ALL REQUESTED INFORMATION

TODAY'S DATE: _____

APPLICANT'S NAME: _____ DOB: _____

ADDRESS: _____ CITY: _____ STATE: GA ZIP: _____

EMPLOYER: _____ PHONE(HOME): _____ (WORK): _____

I certify that: I have applied to no other judge for a warrant on this matter; I am not under the influence of any intoxicants; and, I understand I do not have a right to have this warrant dismissed, and may be required to pay all costs of these proceedings upon requesting charges be dismissed.

SIGNATURE OF APPLICANT

NAME OF PERSON TO BE ARRESTED: _____

ALSO KNOWN AS (ALIAS): _____

ADDRESS: _____ CITY: _____ STATE: GA ZIP: _____

DATE OF BIRTH: _____ PHONE(HOME): _____ (WORK): _____

HEIGHT _____ WEIGHT _____ SOCIAL SEC. # _____ SEX _____ RACE _____ HAIR _____

RELATIVES (and ADDRESSES) _____

EMPLOYER: _____ IDENTIFYING MARKS: _____

VEHICLE: _____ TAG #: _____ DRIVER'S LIC#: _____

STATE COMPLAINT & INCIDENT LOCATION: _____

DATE INCIDENT OCCURRED: _____

POLICE REPORT#: _____ OFFICER: _____ AGENCY: _____

WITNESSES:

NAME: _____ NAME: _____

STREET: _____ STREET: _____

CITY: _____ STATE: _____ ZIP: _____ CITY: _____ STATE: _____ ZIP: _____

PHONE(S): _____ PHONE(S): _____

After holding a hearing, and after considering this application and other oral testimony, I certify that probable cause _____ exists for the issuance of an arrest warrant in this matter.

Affiant has been advised of Preliminary Hearing date by
issuing Magistrate: Yes _____ or No _____

JUDGE, MAGISTRATE COURT
CLAYTON COUNTY, GEORGIA