IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

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 8:00a.m. - 11:00a.m. and 1:00p.m. - 4:00p.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 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 **Date**

MAGISTRATE COURT OF CLAYTON COUNTY
APPLICATION FOR CRIMINAL ARREST WARRANT
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:_____

_____

_____

_____

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_____

_____ **DATE INCIDENT OCCURRED:**_____

POLICE REPORT#:_____ **OFFICER:**_____**AGENCY:**_____

WITNESSES:

NAME:_____
STREET:_____
CITY:_____**STATE:**_____ **ZIP:**_____
PHONE(S):_____

NAME:_____
STREET:_____
CITY:_____**STATE:**_____ **ZIP:**_____
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