

ISSUANCE OF A BAD CHECK COMPLAINT

FILL OUT COMPLETELY- ITEMS UNANSWERED WILL BE PRESUMED UNKNOWN AND WILL RESULT IN DELAYS OR INABILITY TO PROSECUTE.

MAKER OF CHECK: _____ DATE CHECK ISSUED: _____

HOME ADDRESS: _____ CITY: _____ ST.: _____ ZIP: _____

HOME PHONE #: _____ WORK PHONE#: _____

RACE: _____ SEX: _____ DRIVER'S LICENSE #: _____ ST.: _____ DATE OF BIRTH: _____

CHECK GIVEN FOR: _____ (EX: CASH, MERCHANDISE, GROCERIES, ETC)

REASON BANK RETURNED CHECK: _____

NAME OF PERSON WHO RECEIVED CHECK: _____ PHONE: _____

NAME OF BUSINESS: _____ PHONE: _____

ADDRESS: _____ CITY: _____ ST.: _____ ZIP: _____

CIRCLE EITHER YES OR NO FOR THE FOLLOWING QUESTIONS:

- | | | |
|---|-----|----|
| 1. WAS THE PERSON WHO PRESENTED THE CHECK ALSO THE PERSON WHO SIGNED THE CHECK? | YES | NO |
| 2. WAS THE CHECK DEPOSITED OR PRESENTED FOR PAYMENT WITHIN 30 DAYS OF RECEIPT? | YES | NO |
| 3. WAS THE CHECK RECEIVED IN ELLIS COUNTY? | YES | NO |
| 4. WAS THE CHECK POST DATED OR A HOLD CHECK? | YES | NO |
| 5. HAS FULL OR PARTIAL PAYMENT BEEN MADE? | YES | NO |
| 6. WAS THE CHECK RECEIVED IN THE MAIL? | YES | NO |
| 7. HAS A LETTER BEEN MAILED NOTIFYING MAKER OF THE BAD CHECK? | YES | NO |

IF YOU HAVE ANY SERVICE CHARGES FOR RETURNED CHECKS, PLEASE LIST THE AMOUNT: _____

I UNDERSTAND THAT A CHECK FILED IN THE JUSTICE OF THE PEACE, PRECINCT FOUR COURT BECOMES PART OF THE OFFICIAL RECORDS OF THAT OFFICE AND WILL NOT BE RETURNED TO THE PAYEE OR THE MAKER OF THE CHECK. I ALSO UNDERSTAND THAT UPON PAYMENT OF THE BAD CHECK, I AM REQUIRED BY THE COURT TO PROVIDE THE MAKER OF THE CHECK A RECEIPT FOR PAYMENT.

COMPLAINANT SIGNATURE

DATE

COMPLAINANT PRINTED NAME

AFFIDAVIT FOR WARRANT OF ARREST

The undersigned affiant, who after being duly sworn by me, on oath, makes the following statement:

I have good reason to believe and do believe that _____, hereinafter called the accused, whose Texas driver's license is _____, did commit the offense of Issuance of a Bad Check. My belief is based on the following facts:

On _____, in the City of _____, Ellis County, Texas, the accused passed a check in the amount of \$ _____, in exchange for property or services to: _____, an employee of _____.

CHECK ONE BOX

- who received such check in the regular course of such business and who personally told me all foregoing facts;
- who received such check under the foregoing circumstances in the regular course of such business as shown by its business records and by the said check have personally examined.

I HAVE PERSONALLY EXAMINED SUCH CHECK THAT WAS NOT HONORED BY THE BANK AND ON ITS FACE SUCH CHECK, THROUGH MARKINS PLACED ON THE CHECK BY THE BANK SHOWS THAT:

CHECK ONE BOX

- the accused did not have sufficient funds on deposit with the bank for payment in full of said check; uncollected funds.
- the accused did not have an account with the bank at the time the accused issued the check; unable to locate account, refer to maker, endorsement cancelled, account closed.

I PERSONALLY LEARNED THE NAME, ADDRESS, AND TX DRIVER'S LICENSE NO. OF THE ACCUSED:

CHECK ONE BOX

- by personally examining the said check upon which such information was written by the said recipient or passer of the check.
- by personally examining the business records that were prepared by the said recipient of the check when the check was passed.

AND FURTHERMORE, as an employee or owner of such business, I personally know that such business in its regular course of business requires that every passer of a check produce valid identification (including passer's name, address, and driver's license no.) And that such information is routinely placed on foregoing item by the recipient (employee of the business) or passer of the check. WHEREFORE, the affiant requests the issuance of warrant of arrest and detention for the accused in accordance with the law.

Affiant

SUBSCRIBED AND SWORN to before me by the said Affiant on this the _____ day of _____, 20____.

Notary Public/Clerk of the Court

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

Judge Linda Sibley
Justice of the Peace
Precinct Four, Ellis County Texas