

COUNTY OF ELLIS

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 number is _____, did commit the offense of theft by passing a 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 _____.

The check presented to me was not a "POST DATED CHECK" or "HOLD CHECK" nor a check that was indicated to be "INSUFFICIENT" for any reason at the time it was presented for payment.

Check only one box in each set of questions:

- *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 MARKINGS PLACED ON THE CHECK BY THE BANK, SHOWS THAT:

- *the accused did not have sufficient funds on deposit with the bank for payment in full of said check; uncollected funds, held 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.

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

- *by personally examining the said check upon which such information was written by the said recipient or passer of 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 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 the passer of the check. WHEREFORE, the affiant requests the issuance of a 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, State of Texas

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 named therein.

JUDGE, COUNTY COURT AT LAW #2, ELLIS COUNTY,