**MAGISTRATE’S WARNING**

Date: \_\_\_\_\_/\_\_\_\_\_\_/\_\_\_\_\_\_\_ Time: \_\_\_\_\_\_\_\_\_\_\_ \_\_\_.m.

Defendant’s name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Age:\_\_\_\_\_\_

Race: W / B / H / Other\_\_\_\_\_\_\_\_\_\_\_ Sex: M / F

Date of Arrest: \_\_\_\_\_\_/\_\_\_\_\_\_\_/\_\_\_\_\_\_ Time of Arrest: \_\_\_\_\_\_\_\_\_\_ \_\_\_\_.m.

Does the Defendant speak and understand English? \_\_\_yes \_\_\_no. If no, was an interpreter used? \_\_\_yes \_\_\_no. If no, why not? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ If yes, whom?\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other measures taken to ensure non-English speaking Def. understood warnings: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BEFORE ME, THE UNDERSIGNED MAGISTRATE OF SCURRY COUNTY, TEXAS ON THE \_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, AT \_\_\_\_\_\_\_\_ O’CLOCK A.M./P.M., AT THE MAGISTRATE COURT APPEARED \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AT WHICH TIME I INFORMED THE ACCUSED OF THE CHARGE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ FILED AGAINST HIM/HER AND OF ANY AFFIDAVIT, COMPLAINT, OR VERIFICATION OF A WARRANT FILED THEREWITH.

THE DEFENDANT WAS INFORMED:

1. OF HIS/HER RIGHT TO REMAIN SILENT;
2. OF HIS/HER RIGHT TO RETAIN COUNSEL;
3. OF HIS/HER RIGHT TO REQUEST THE APPOINTMENT OF COUNSEL IF HE/SHE IS INDIGENT AND CANNOT AFFORD COUNSEL;
4. THAT HE/SHE WILL BE ALLOWED A REASONABLE TIME AND OPPORTUNITY TO CONSULT COUNSEL;
5. OF HIS/HER RIGHT TO HAVE AN ATTORNEY PRESENT DURING AN INTERVIEW WITH PEACE OFFICERS;
6. OF HIS/HER RIGHT TO TERMINATE AN INTERVIEW AT ANY TIME;
7. THAT HE/SHE IS NOT REQUIRED TO MAKE ANY STATEMENT;
8. THAT ANY STATEMENT MADE BY HIM/HER MAY BE USED AGAINST HIM/HER AT TRIAL AND IN COURT;
9. OF HIS/HER RIGHT TO HAVE AN EXAMINING TRIAL;
10. OF THE PROCEDURES FOR REQUESTING A COURT APPOINTED ATTORNEY;
11. THAT AN APPLICATION NEEDS TO BE COMPLETED AND SIGNED UNDER OATH TO DETERMINE IF HE/SHE QUALIFIES FOR COURT APPOINTED COUNSEL;
12. THAT A CLERK WILL ASSIST HIM/HER IN FILLING OUT THE APPLICATION;
13. THAT HE/SHE MUST QUALIFY FOR COURT APPOINTED COUNSEL;
14. THAT IF HE/SHE MEETS INDIGENCE STANDARDS HE/SHE WILL QUALIFY FOR COURT APPOINTED COUNSEL;
15. UPON QUALIFICATION THE CLERK OF THE COURT IN WHICH HIS/HER CASE WILL BE PENDING WILL PROVIDE THE NAME AND PHONE NUMBER OF THE ATTORNEY;
16. THAT COURT APPOINTED COUNSEL SHOULD CONTACT HIM/HER BY THE END OF THE FIRST WORKING DAY AFTER APPOINTMENT.

**THE ACCUSED DOES / DOES NOT WANT TO REQUEST COURT APPOINTED COUNSEL**

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MAGISTRATE DATE ACCUSED DATE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_YOU ARE REMANDED WITHOUT BOND BOND SET: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

WARNING RECEIVED, (THIS IS NOT AN ADMISSION OF GUILT)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

MAGISTRATE DATE ACCUSED DATE