**MAGISTRATE'S FINDING OF PROBABLE CAUSE, WARNING & ORDER SETTING BAIL**

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

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, why not? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Was an interpreter used? Yes / No If so, whom? \_\_\_\_\_\_\_

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

If you are not a United States citizen and you have been arrested or detained, you may be entitled to have us notify your country’s consular representatives here in the United States. Do you want us to notify your country’s consular officials?

**No.** \_\_\_\_\_\_\_\_\_\_\_\_\_ **Yes.** \_\_\_\_\_\_\_\_\_\_\_\_\_

****If you responded **“yes,**” what country? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

If you are a citizen of a country that requires us to notify your country’s consular representative, we shall notify them as soon as possible. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**PROBABLE CAUSE FINDING:**

\_\_\_ Probable Cause **EXISTS** for the purposes of Texas and Federal Law and for the purposes set out in Section 5 of the Texas Code of Criminal Procedure, Article 17.033 and the accused is ordered to remain in the custody of the Nolan County Sheriff's Department, unless otherwise transferred to another agency.

\_\_\_\_ Probable Cause **DOES NOT EXIST** and the accused is ordered released from custody in this case/charge.

\*\*\*\*\*\*\*\*\*\*\*\*\*(IF NO PROBABLE CAUSE WAS FOUND, THEN RELEASE DEFENDANT AND DO NOT PROCEED BELOW THIS LINE)\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**MAGISTRATE'S WARNING:**

* You have been charged with the offense(s) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. That offense is classified as **MISDEMEANOR** and/or **FELONY** offense(s) as noted below;
* A **SWORN AFFIDAVIT / COMPLAINT & INFORMATION / INDICTMENT / MOTION TO REVOKE PROBATION** has been filed against you in your case;
* You have a right to be represented by counsel;
* If you desire counsel but cannot afford one, you have a right to request the Court make a determination of your indigence and to be granted the appointment of counsel if the Court makes a finding that you are indigent;
* To apply for court-appointed counsel, you must fill out an application. If you have not yet made bond or if a bond is not set in your case, you may request the application at any time from me or from your jailer. If you are able to make bond and then decide you wish to apply for counsel, then the application will be available through the Court at the time of your arraignment, or through the District or County Clerk's office during regular office hours;
* You have a right to have counsel present if anyone in law enforcement or representing the State of Texas wishes to interview you and at all proceedings involving your case;
* From the date that you hire or are appointed counsel, you are entitled to a reasonable time and opportunity to consult with counsel before you can be put to trial;
* You have a right to remain silent;
* You have the right not to agree to an interview with law enforcement or make a statement and any statement you give may be used against you later in a trial;
* If you consent to an interview with law enforcement or a representative of the State, you have a right to terminate that interview at any time;
* If the charge pending against you is of a felony nature, then you may have a right to an examining trial; and
* With limited exception, you have a right to have bail set in your case. At this time, I will set your bail as follows:

 Charge Degree/Class Bail Amount:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Magistrate's Warning given as of the date and time set forth above.

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

 Magistrate

I have been given and understand the Magistrate's Warnings set forth above.

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

Defendant Witness