

## MAGISTRATE'S WARNING

This is to certify that I, \_\_\_\_\_, acting as and in the capacity of a magistrate did, on the \_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ AM/PM, in clear language, understood by the accused, inform:

NAME OF ACCUSED: \_\_\_\_\_

CID NO. \_\_\_\_\_

BOOKING NO: \_\_\_\_\_

ARREST DATE/TIME: \_\_\_\_\_

Who appeared before me a magistrate in and for McLennan County, Texas of the following:

- ☐ You are accused of \_\_\_\_\_, a criminal offense and any affidavit, complaint, or verification of a warrant filed therewith.
- ☐ You have the right to hire a lawyer.
- ☐ You have the right to remain silent.
- ☐ You have the right to have a lawyer present during any interview with or questioning by peace officers or attorneys representing the State.
- ☐ You have the right to stop any interview or questioning at any time.
- ☐ You have the right to request the appointment of a lawyer if you are too poor to afford a lawyer.
- ☐ You are not required to make a statement and any statement you make may be used against you.
- ☐ You have the right to an examining trial for felony offense only.
- ☐ You may have reasonable time and opportunity to talk with a lawyer if you so desire.
- ☐ If a foreign national, the right to access his/her consulate.
- ☐ Of the procedures for requesting a court appointed attorney:
- that an affidavit needs to be completed to determine if you qualify for court appointed counsel;
  - that you will be assisted in filling out the affidavit;
  - that the affidavit needs to be signed;
  - that an affidavit is a written or printed declaration or statement of fact made voluntarily and confirmed by oath before a person having authority to administer such oath;
  - that you must qualify for court appointed counsel;
  - if you meet indigence standards you will qualify for court appointed counsel;
  - upon qualification, a criminal court administrator will provide the name and phone number of your court appointed attorney; and
  - that your court appointed attorney should contact you by the end of the first working day after appointment.
- ☐ Do you want to request the appointment of counsel?
- ☐ The accused has announced he/she is:
- ☐ NOT REQUESTING APPOINTMENT OF COUNSEL.
- ☐ REQUESTING APPOINTMENT OF COUNSEL.
- ☐ Bail is set at: \_\_\_\_\_

In witness whereof, I have subscribed my name on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Magistrate, McLennan County, Texas

Original - Magistrate, Copy - Accused CID \_\_\_\_\_ Bk# \_\_\_\_\_ Case \_\_\_\_\_  
Warrant No. \_\_\_\_\_ Arst Officer \_\_\_\_\_ R/S \_\_\_\_\_ / \_\_\_\_\_ DOB \_\_\_\_\_  
Ofns Type \_\_\_\_\_ Arrest Date/Time \_\_\_\_\_

Magistrate's Order of Commitment

TO THE SHERIFF OF MCLENNAN COUNTY, TEXAS, GREETINGS:

on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, being duly brought before me and the affidavit submitted for Probable Cause Determination as to the above named accused in the above referenced matter has been presented to me and upon consideration of the facts and circumstances contained therein, it is hereby determined that:

\_\_\_\_\_ 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 committed to the custody of the Sheriff of McLennan County, Texas to be detained unless the accused complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.
2. Bail is hereby set at \$ \_\_\_\_\_  
( ) if checked, with conditions as set out on the attached conditions of bail form.
3. Defendant is ordered to appear as directed on the bond and as directed by the court.
4. If the defendant is in custody on said appearance date, the Sheriff is hereby ordered to present said defendant in court at all times said charge or accusation is called before said court.

\_\_\_\_\_ probable cause does not exist and the accused is ordered released from custody in this case/charge.

I, the magistrate in this case, hereby certify that:

1. The law enforcement agency have custody of the accused has brought the accused before this magistrate not later than 24 hours (misdemeanor)/ 48 hours (felony) after arrest.
2. I have informed the accused of his right to request appointment of counsel, if indigent, and the procedures for requesting appointment of counsel.
3. The accused does  
\_\_\_\_\_ speak and understand the English language  
\_\_\_\_\_ not speak and understand the English language, therefore I have informed the accused in a manner consistent with Texas Code of Criminal Procedure Articles 15.17, 38.30 and 38.31 by appointing and swearing a certified interpreter.
4. I have insured that all reasonable assistance in completing the necessary forms for requesting appointment of counsel is provided.

HEREIN FAIL NOT of the ORDER, but make due return showing how you have executed the same.

\_\_\_\_\_  
Magistrate, McLennan County, Texas

Sheriff's Return

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by placing the accused in jail in McLennan County.

Larry Lynch, Sheriff, of McLennan County, Texas

By: \_\_\_\_\_, Deputy

Original - Magistrate

Copies - Jail

CID \_\_\_\_\_ Bk# \_\_\_\_\_ Case \_\_\_\_\_