

## IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

Georgia State Law (O.C.G.A. § 17-4-40) sets forth the procedure for the court to follow when someone who is not a police officer applies for the arrest of another person. That law requires the court to schedule the application for a hearing, notify the person whose arrest is sought about the hearing (they will be sent a copy of your application), and allow them to give their side of the story, **before the judge decides whether to issue an arrest warrant.**

- Completed arrest warrant applications may be filed at the Magistrate Court Clerk's Office between 8:00-11:00 a.m. and 1:00 - 4:00 p.m. weekdays.
- State Law (O.C.G.A. § 15-10-82) sets a filing fee of \$ 10.00 for each arrest warrant application you file, except in cases of domestic violence, stalking, and certain sex crimes. The fee is **NON-REFUNDABLE.**
- The applicant must provide the full name, complete current address, complete date of birth, and a physical description of the person whose arrest is sought. If you file an application without this information, the Judge will deny your application. If you are missing any of this information, you need law enforcement assistance.
- The applicant must fill out a separate application for each person whose arrest is sought.
- The alleged crime must have occurred in Clayton County.
- Alleged violations of § 16-9-51 (relating to security interests) are not handled through the arrest warrant application process. You must contact the Solicitor General's Office.
- If you have been charged with a crime, you cannot apply to arrest the victim of the crime.
- If the person has already been criminally charged, or a previous warrant application has been denied or dismissed, you may not file a warrant application on that same set of facts.
- The applicant does not have the right to see a Magistrate Judge.
- This application can only result in the arrest and detention of another person. It will not cause property or children to be returned to you and you will not receive money damages.
- Employees in the Clerk's Office, employees in the Judges' Office, and the Magistrate Judges themselves are prohibited by state laws and regulations from providing legal advice. If you have questions about your legal rights, legal remedies available to you, or what legal documents to file and where to file them, you must contact an attorney.

*I have read and understand the above information  
about arrest warrant applications.*

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

MAGISTRATE COURT OF CLAYTON COUNTY  
APPLICATION FOR CRIMINAL ARREST WARRANT

FEE FOR HEARING APPLICATION \$10.00

NOTE: **Print All Requested Information**

TODAY'S DATE \_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_ D.O.B. \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

EMPLOYER \_\_\_\_\_ PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

I certify that: I have applied to no other judge for a warrant on this matter; I am not under the influence of any intoxicants; and, I understand I do not have a right to have this warrant dismissed, and may be required to pay all costs of these proceedings upon requesting charges be dismissed.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

NAME OF PERSON TO BE ARRESTED \_\_\_\_\_

ALSO KNOWN AS (ALIAS) \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_ PHONE (HOME) \_\_\_\_\_ (WORK) \_\_\_\_\_

HGT. \_\_\_\_\_ WHT. \_\_\_\_\_ SOC. SEC. # \_\_\_\_\_ SEX \_\_\_\_\_ RACE \_\_\_\_\_ HAIR \_\_\_\_\_

RELATIVES (AND ADDRESSES) \_\_\_\_\_

EMPLOYER \_\_\_\_\_ IDENTIFYING MARKS \_\_\_\_\_

VEHICLE \_\_\_\_\_ TAG # \_\_\_\_\_ D.L. # \_\_\_\_\_

STATE COMPLAINT & INCIDENT LOCATION: \_\_\_\_\_

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After holding a hearing, and after considering this application and other oral testimony, I certify that probable cause \_\_\_\_\_ exists for the issuance of an arrest warrant in this matter.

Affiant has been advised of Preliminary Hearing date by issuing Magistrate: Yes \_\_\_\_\_ or No \_\_\_\_\_.

\_\_\_\_\_  
JUDGE, MAGISTRATE COURT  
CLAYTON COUNTY, GEORGIA