

PLEASE ANSWER THE FOLLOWING QUESTIONS:

- 1. If required to appear in court, will you be able to positively identify the alleged defendant? YES NO
- 2. Have you notified the police, and was there an incident report filed? YES NO
If yes, what is the Incident Report #? _____, _____
- 3. Are you willing to testify against the defendant in open court?..... YES NO
- 4. Was anyone physically injured, contacted, or threatened during the commission of this offense?
If yes, please elaborate in the body of your testimony YES NO
- 5. Was any tangible property stolen, damaged, or destroyed during the commission of this offense?
If yes, please elaborate in the body of your testimony YES NO
- 6. I have previously discussed/attempted to resolve this problem with the alleged defendant. YES NO
If YES, please list dates _____, _____, _____
- 7. I have attempted to resolve this problem but have found the alleged defendant to be uncooperative YES NO
- 8. I have previously contacted the appropriate city department regarding this problem. YES NO

THESE SPECIFIC POINTS ARE UNDERSTOOD BY THE UNDERSIGNED:

- 1) The citizen must, in good faith, make full, fair, and honest disclosure of all facts and circumstances known to him/her at the time this application for complaint is filed. The facts, as presented, must be in the form of an affidavit and provided under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
- 2) The citizen-complainant must be sworn and sign both the application for complaint and the complaint (when prepared by the city prosecutor).
- 3) The citizen-complainant must be willing to appear in Court to testify against the defendant if the charges are contested (i.e., the accused pleads not guilty).
- 4) The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering a police officer to bring the citizen-complainant to Court.
- 5) The defendant may file a counter-complaint if the citizen-complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a police officer, prosecutor, or other city investigative personnel may be used against you should the counter-complaint go forward to trial. Please be advised that when speaking to the prosecutor, the prosecutor represents the State of Texas, and no attorney-client relationship is established by any communications with regard to the application for the complaint or any matters related thereto.
- 6) Once this complaint is accepted by the prosecutor and filed with the court, only the judge, upon recommendation of the prosecutor, has the authority to dismiss a complaint.

“I understand that by completing and submitting this form, I am making a statement to an employee of a law enforcement agency authorized to conduct a criminal investigation of the person and the acts or omissions about which I have complained. I further understand that it is a serious offense to file a false, fraudulent, or misleading report, and could result in confinement in jail and/or a fine up to \$2,000.”

Signature **(Do not sign until presented to Municipal Court)** _____

_____ Date

Sworn and subscribed before me by _____
Printed Name (Complainant)

This _____ day of _____ (month) _____ (year)

Clerk of the Municipal Court