

## IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

Under Georgia Law (O.C.G.A. 17-4-40), the majority of circumstances require that arrest warrant applications be scheduled for a hearing. To schedule an arrest warrant hearing, the court must attempt to notify the person, whose arrest is being sought, of the date, time, and location of the hearing. Upon filing this warrant application, it becomes public information. The accused will be mailed a copy of your application.

### TO FILE AN ARREST WARRANT APPLICATION:

The completed arrest warrant application must be paid for and filed at the Clerks' Office between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. There are no exceptions to these time periods.

State law provides that the applicant, unless involved in a domestic violence situation, shall pay a non-refundable application fee of \$20.00 for each warrant application you choose to file.

The applicant must provide the full name, complete address, and physical description, including date of birth, of the person whose arrest is being sought. The applicant may only include one person to be arrested per application.

The applicant must give a full description of the alleged crime by including the date and location of the incident. The alleged crime must have occurred in Fayette County in order for the hearing to be scheduled at the Fayette County Magistrate Court.

For child abandonment arrest warrant applicants, the application should not be filed unless there has been 30 days of total abandonment by the non-custodial parent, (30 days of no food, clothing, money, gifts, medical insurance, or visitation.) If the non-custodial parent lives in Georgia or out of Georgia, the application should be filed in the county of the child's residence.

If your arrest warrant application is denied or if you dismiss the application, you cannot file again on this same set of facts.

The applicant does not have the right to see a Magistrate Judge.

With the exception of allegations of: Child Abandonment, Deposit Account Fraud (Bad Check), and Bail Jumping, all allegations of criminal acts must be first reported to the appropriate law enforcement agency prior to filing an application for a criminal arrest warrant.

This is an application to have someone arrested and will not result in an award of money damages or cause property to be returned.

Under Georgia Law, the employees of the Magistrate Court's Judge's Office and Clerk's Office cannot give legal advice. The judge cannot give legal advice. If you have questions about your legal rights or what options are available, you should consult an attorney.

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

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SIGNATURE OF APPLICANT

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PRINTED NAME

DATE: \_\_\_\_\_

\$20 APPLICATION FEE

MAGISTRATE COURT OF FAYETTE COUNTY  
APPLICATION OF CRIMINAL ARREST WARRANT

COUNTY OF FAYETTE

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

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

PERSON TO BE ARRESTED: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

AGE: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ HAIR: \_\_\_\_\_ DOB: \_\_\_\_\_

ADDRESS WHERE CRIME OCCURRED: \_\_\_\_\_

TIME: \_\_\_\_\_ DATE OF CRIME: \_\_\_\_\_

STATE COMPLAINT:

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

WITH THE EXCEPTION OF ALLEGATIONS OF:

CHILD ABANDONMENT, DEPOSIT ACCOUNT FRAUD (BAD CHECK), AND BAIL JUMPING, ALL ALLEGATIONS  
OF CRIMINAL ACTS MUST FIRST BE REPORTED TO THE APPROPRIATE LAW ENFORCEMENT AGENCY  
PRIOR TO FILING AN APPLICATION FOR A CRIMINAL ARREST WARRANT.

HAS THIS INCIDENT BEEN REPORTED TO A LAW ENFORCEMENT AGENCY? \_\_\_\_\_

IF SO, WHICH ONE \_\_\_\_\_ DATE: \_\_\_\_\_ CASE #: \_\_\_\_\_

IS A COPY OF THE REPORT ATTACHED? \_\_\_\_\_

IS CASE PENDING? \_\_\_\_\_ HAS CASE BEEN CLOSED? \_\_\_\_\_

I certify that I have applied to no other judge for a warrant on this matter and that the above  
information is true and correct to the best of my knowledge.

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

I certify that probable cause does / does not  
exist for the issuance of this warrant.

I direct that pre-issuance hearing be held  
Date of Hearing: \_\_\_\_\_

\_\_\_\_\_  
MAGISTRATE

\_\_\_\_\_  
MAGISTRATE