
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>220.00 CLASS C MISDEMEANOR CASE PROCEDURE</b>
	<b>Effective Date: August, 2011</b>
	Approved: _____ <div style="text-align: center;">   <b>Chief of Police</b> </div>

- I. Cases Filed by Field Officers by Citation.
  - A. Complainant **MUST** appear in Municipal Court within five (5) days and sign an official complaint and fill out an affidavit describing the incident to the best of his knowledge. (see Exhibit Nos. 200-9 Summons Information and 200-10 Assault Affidavit)
  - B. Court personnel will forward copies of the citation, complaint and affidavit to the city prosecutor for review.
  - C. If accepted for prosecution, the case will be returned to the court by the prosecutor.
  - D. Court personnel will assign a court date and notify complainant and defendant of that date.
- II. Citizen Comes to the Police Department to File Charges.
  - A. The Information Desk Assistant and/or Expeditor will take an offense report.
  - B. The Information Desk Assistant and/or Expeditor will have the complainant fill out an affidavit describing the incident to the best of his knowledge.
  - C. Complainant will sign an official complaint.
  - D. Information Desk Assistant and/or Expeditor will complete a Summons Information report.
  - E. The Desk Assistant and/or Expeditor will then forward a copy of the offense report and the original affidavit to the municipal court for review.
  - F. If accepted for prosecution, the case will be forwarded to the court by the prosecutor.
  - G. Court personnel will assign a court date and notify complainant and defendant of that date.
- III. Cases Filed by Investigator from Offense Reports
  - A. The investigator will contact the complainant and verify that he wishes to prosecute.
  - B. The investigator will request the complainant to come to the police department and, fill out an affidavit describing the incident to the best of his knowledge.
  - C. The complainant will be required to sign an official complaint.
  - D. The investigator will complete a Summons Information report.
  - E. The investigator will forward a copy of the offense report, the original affidavit, complaint and Summons Information report to the municipal court prosecutor for review.
  - F. If accepted for prosecution, the case will be forwarded to the court by the prosecutor.
  - G. Court personnel will assign a court date and notify complainant and defendant of that date.
- IV. In all cases, the municipal court prosecutor will have the responsibility for reviewing each case. The final decision on prosecution of each case rests with the prosecutor. In those cases where prosecution is declined, the municipal court prosecutor will notify the complainant of that decision.

EFFECTIVE: July, 1988; REVISED: September, 1990; FORMERLY: C/88-77; REVISED: January, 1992; FORMERLY: 222.00; FORMERLY: 221.00; REVISED: August, 2011

**SUMMONS INFORMATION**

TO: MUNICIPAL COURT PROSECUTOR/CLERK

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

SUBJECT: SUMMONS

ACCUSED NAME:

DOB	RACE/SEX	CITY	ST	ZIP	HOME
ADDRESS		CITY	ST	ZIP	BUSINESS
ADDRESS		CITY	ST	ZIP	HOME PHONE
BUSINESS PHONE		SSN			
OLN					
OLS					

**COMPLAINANT:**

NAME	ADDRESS
	CITY ST ZIP
OFFENSE	CODE NUMBER

**DOCUMENTS ATTACHED**

<input type="checkbox"/> OFFENSE RPT	<input type="checkbox"/> SIGNED COMPLAINT
<input type="checkbox"/> AFFIDAVIT	<input type="checkbox"/> OTHER

INVESTIGATING OFFICER

SIGNATURE

USE INK ONLY

**ASSAULT AFFIDAVIT**

THE UNDERSIGNED AFFIANT, BEING A CREDIBLE PERSON AND OF SOUND MIND AND BODY UNDER THE LAWS OF TEXAS AND BEING DULY SWORN, ON OATH MAKES THE FOLLOWING STATEMENTS AND ACCUSATIONS:

My name is \_\_\_\_\_. I am a \_\_\_\_ years old female/male  
born \_\_\_\_\_.  
(Month/Day/Year) (circle one)

My home address is \_\_\_\_\_  
(Street) (City) (State) (Zip)

I work at \_\_\_\_\_  
(Place of business) (Street) (City) (State)  
(Zip)

My home telephone number is \_\_\_\_\_ and my work phone is \_\_\_\_\_

I am filing assault charges against \_\_\_\_\_  
(Name of accused)

His/Her home address is \_\_\_\_\_  
(Street) (City) (State) (Zip)

He/She works at \_\_\_\_\_  
(Place of business) (Street) (City) (State) (Zip)

His/Her home telephone number is \_\_\_\_\_ and work phone is \_\_\_\_\_

His/Her Social Security Number is \_\_\_\_\_. His/Her driver's license number is \_\_\_\_\_  
and is a \_\_\_\_\_ state license.  
(state)

I am hereby accusing the above-named person with the crime of ASSAULT against me.

On \_\_\_\_\_ at \_\_\_\_\_ am/pm, at the location \_\_\_\_\_  
(month/day/year) (time of day) (Street)  
\_\_\_\_\_, this is what happened:  
(City) (State) (Zip)

(State all important facts about the assault in the space provided below. If you need more space, please use the back of this page.)

In the space provided below, please explain any special circumstances you think the City Prosecutor should be aware of. An example would be prior incidents or problems between you and the accused person. (If you need more space, please use the back of this page.)

If formal charges are filed at the Mesquite Municipal Court, would you be willing to be a witness against the person you have accused of committing an assault against you? YES \_\_\_\_\_  
NO \_\_\_\_\_ (Check one)

Are there other people who witnessed the alleged assault against you?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If you checked YES, please give the name(s), address(es), telephone number(s) and work address(es) for each witness in the space provided below.

Are there other people who could testify about any injury(s) you may have had as a result of the alleged assault?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If you checked YES, please give the name(s), address(es), telephone numbers(s) and work address(es) for each person named.

The above and foregoing is true and correct to the best of my knowledge.

\_\_\_\_\_  
AFFIANT

Subscribed and sworn to before me by said affiant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Exhibit No. 200-10 Assault Affidavit (continued)**