

REQUIREMENTS WHEN FILING COMPLAINT

1. The complainant (person making the complaint) must, in good faith, make full, fair and honest disclosure of all facts and circumstances known to him/her at the time the complaint is made. The facts, as presented, must be in the form of an affidavit and signed under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
2. The complainant must swear to his/her statement (affidavit) and will need to sign a formal charging instrument in addition to the affidavit if the prosecutor accepts the case.
3. The complainant must appear in court to testify against the defendant if the charges are contested (the accused pleads not guilty and a trial is held).
4. If the defendant is found guilty, the maximum sentence that may be assessed in Municipal Court is a fine not more than \$500. The defendant may appeal the case to a higher court.
5. The defendant may file a counter-complaint if the 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, that the prosecutor represents the state and no attorney-client relationship is established by any communications with regard to the application for complaint or any matters related thereto.
6. Once a case is filed, only a Municipal Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
7. The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering the sheriff, warrant officer or other police officer to bring the citizen-complainant to court.

I have read and agree to the above requirements.

COMPLAINANT'S SIGNATURE

DATE

AFFIDAVIT BY CITIZEN
ANIMAL VIOLATION

DATE: _____
YOUR NAME: _____
ADDRESS: _____
CITY, STATE, ZIP: _____
PHONE: _____ (WORK): _____
EMAIL ADDRESS (if any): _____

DEFENDANT INFORMATION

NAME OF DEFENDANT (PERSON ACCUSED): _____
ADDRESS (HOME): _____
CITY, STATE, ZIP: _____
PHONE: _____ (WORK): _____
HOW DID YOU DETERMINE DEFENDANT'S NAME? _____

CAN YOU IDENTIFY DEFENDANT? _____

DESCRIPTION OF DEFENDANT:

RACE: _____ SEX: _____ DATE OF BIRTH: _____
HEIGHT: _____ AGE (if no date of birth): _____

ANIMAL INFORMATION

HOW MANY ANIMALS DOES THE DEFENDANT OWN/HAVE? _____
WHERE DOES THE DEFENDANT KEEP THE ANIMAL(S) WHEN THEY ARE OUTSIDE? _____

HOW LONG HAS THE ANIMAL(S) BEEN AT DEFENDANT'S RESIDENCE? _____

HOW LONG, GENERALLY, HAS THE NOISE OF THE DEFENDANT'S ANIMAL(S) BEEN DISTURBING YOU? _____

HAVE YOU ASKED THE DEFENDANT TO REMEDY THIS SITUATION: _____ (YES OR NO)

IF SO, HOW MANY TIMES? _____

WHAT WAS THE DEFENDANT'S RESPONSE? _____

HAVE YOU ATTENDED ANY MEETINGS AT THE DISPUTE RESOLUTION CENTER IN REGARD TO THIS MATTER? _____ (YES OR NO)

IF YES, WHAT WAS THE RESULT? _____

IF NO, WOULD YOU LIKE TO TRY MEDIATION? _____

INITIALS

DESCRIPTION OF ANIMALS (IF MORE THAN ONE, INCLUDE ADDITIONAL INFO ON BACK):

NAME: _____ COLOR: _____ MAKE: _____ SIZE: _____

MALE OR FEMALE: _____ SPECIAL FEATURES: _____

DATE OF OFFENSE: _____

TIME OF OFFENSE: _____

OFFENSE INFORMATION

LOCATION OF OFFENSE (must be in Austin city limits): _____

HAS OFFENSE OCCURRED PREVIOUSLY? _____ WHEN? _____

WERE CHARGES FILED? _____ (YES OR NO)
IF YES, WHAT HAPPENED WITH CASE? _____

WHAT IS YOUR COMPLAINT? (DESCRIBE WITH AS MUCH DETAIL AS POSSIBLE - use as many pages as necessary to fully, fairly and honestly relate all material facts and circumstances)

PLEASE DRAW A DIAGRAM OR MAP INDICATING THE RELATIVE POSITION OF YOUR RESIDENCE AND THE DEFENDANT'S RESIDENCE. PLEASE INDICATE ANY BUILDINGS OR LOTS BETWEEN RESIDENCES AND SHOW WHERE THE ANIMAL IS USUALLY KEPT.

LIST OF WITNESSES:

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ (WORK): _____

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ (WORK): _____

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ (WORK): _____

I swear that the statements made herein are within my personal knowledge and are true and correct.

NAME

DATE

Sworn to on this the _____ day of _____, 20_____.

COURT DEPUTY CLERK or
NOTARY PUBLIC FOR THE STATE OF TEXAS

My Commission Expires: _____

DO NOT WRITE BELOW THIS LINE

REVIEWED BY: _____

RECOMMENDATION: _____