

## **REQUIREMENTS WHEN FILING A 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 a formal complaint. This formal complaint will form the basis of any further investigation and of the charging instrument.
2. The complainant must appear in court to testify against the defendant if the charges are contested by the accused and a trial is held.
3. If the defendant is found guilty, the maximum sentence that may be assessed in Justice of the Peace Court is a fine of up to \$500.00, plus court costs and fees. There can be no jail time. The defendant may appeal the case to a higher court.
4. 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 prosecutor or other investigator may be used against you should there be a counter. 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.
5. Once a case is filed, only a Justice of the Peace Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
6. The prosecutor reserves the right to subpoena the citizen-complainant and to enforce the subpoena by ordering a peace officer to bring the citizen-complainant to court.
7. Bring the formal complaint to the corresponding Justice of the Peace Office located at 2840 Hwy 35 N, Rockport, Texas, 78382. Complaints must either be notarized or accompanied by the attached Declaration in order to be processed.

# AFFIDAVIT BY CITIZEN NON-TRAFFIC/OTHER VIOLATIONS

## Information About You:

\*Your Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\*City, State, Zip: \_\_\_\_\_

\*Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

Email Address (if any): \_\_\_\_\_

## The Undersigned Affiant Swears To The Following Statement: Defendant Information:

\*Name of Defendant (Person Accused): \_\_\_\_\_

\*Address: \_\_\_\_\_

\*City, State, Zip: \_\_\_\_\_

\*Phone Number: \_\_\_\_\_ Work Phone Number: \_\_\_\_\_

\*How did you determine the defendant's name? \_\_\_\_\_

\*Can you identify the defendant (Yes or No)? (If no, it will not be possible to process your complaint)

Description of defendant: Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Height: \_\_\_\_\_

Email: \_\_\_\_\_

Social Media Sites & Screen Names: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CAUSE NO. \_\_\_\_\_

COMPLAINT – DISORDERLY CONDUCT

IN THE NAME AND AUTHORITY OF THE STATE OF TEXAS

I, \_\_\_\_\_, being duly sworn, do state upon my oath that:

\_\_\_\_ I have personal knowledge

and I charge that heretofore and before the making and filing of this complaint, on or about the \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_, in ARANSAS County, and State of TEXAS, \_\_\_\_\_(Defendant),

did then and there intentionally and knowingly cause disorderly conduct, a violation of the Texas Penal Code; to wit:

\_\_\_\_\_.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

\_\_\_\_\_  
COMPLAINANT

SWORN TO AND SUBSCRIBED BEFORE ME BY \_\_\_\_\_ a credible person, this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary

**DECLARATION UNDER PENALTY OF PERJURY**

*This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.*

*I certify under penalty of perjury, pursuant to 28 U.S.C. 1746, that the attached complaint is true and correct.*

*Executed on* \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Declarant