

APPLICATION FOR MAGISTRATE'S ORDER FOR EMERGENCY PROTECTION

Defendant's Full Name

County of Offense

Date of Offense

I certify that I am (check one of the following):

The victim of an offense involving family violence as defined in Section 71.004 of the Family Code, or section 22.01 of the Penal Code, or harassment by stalking, for which the Defendant* has been arrested;

The guardian of a victim of an offense involving family violence or harassment by stalking, for which the listed Defendant* has been arrested;

A peace officer;

An attorney representing the State of Texas;

on the magistrate's own motion

I am requesting that a Magistrate's Order for Emergency Protection be issued to and against the above named Defendant and that the order include such conditions as may be authorized by Article 17.292, Code of Criminal Procedure or as provided by law.

I understand that:

1. This order shall be in force no fewer than 31 days or no longer than 61 days EXCEPT in the case of the use or exhibition of a deadly weapon, then the order shall be in force no fewer than 61 day and no longer than 91 days.
2. That this order shall supersede any existing court order granting possession of or access to a child to the degree that a condition of this order conflicts with the existing order;
3. That it might be in the best interest of a victim in this case to seek a Protective Order through the County Attorney, Legal Aid, or a private attorney before the expiration of this order.

Date requested _____, 2____.

Victim/Guardian Printed Name

Officer/Prosecutor's Printed Name

Victim/Guardian Signature (only if Applicant)

Officer/Prosecutor's Signature

Agency Name: _____

Agency Address: _____

City/State/Zip: _____ **Agency Phone Number:** _____