Sample Affidavit for Suspect’s DNA Sample

THE STATE OF TEXAS § DOCKET #

§

COUNTY OF =X= § COURT:

AFFIDAVIT FOR SEARCH WARRANT: DNA SAMPLE

Texas Code of Criminal Procedure Art. 18.02(a)(10)

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:

My name is =X= and I am commissioned as a peace officer by =X=.

1. There is in =X= County, Texas, a suspected person described as follows: =X=

2. The suspected person is currently in the =X= County Jail located at =X= under the control of =X= County Sheriff \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

3. I believe the suspected person has possession of and is concealing the following property: buccal cells and/or saliva containing the DNA of the suspected person. The property constitutes evidence that the offense, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was committed.

4. My probable cause is based on the following facts and circumstances: =X=

Wherefore, I ask for issuance of a warrant that will authorize me and other peace officers to search the named person for the property described above and to seize same.

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

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY THE SAID AFFIANT ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

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

[Title or name of office held   
 by official taking oath of Affiant]

=X= COUNTY, TEXAS

Sample Search Warrant for Suspect’s DNA Sample

THE STATE OF TEXAS § DOCKET #

§

COUNTY OF =X= § COURT:

SEARCH WARRANT: DNA SAMPLE

Texas Code of Criminal Procedure Art. 18.02(a)(10)

The State of Texas: To the Sheriff or any Peace Officer of =X= County, Texas, or any Peace Officer of the State of Texas:

Whereas I have been presented an affidavit requesting issuance of a search warrant, and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he/she expresses therein, and whereas I believe said affidavit properly establishes grounds for issuance of this Warrant;

Now, therefore, you are commanded to take temporary custody of the following person described in the affidavit, to-wit: =X=

You shall search for and, if same be found, seize and bring before me the property described in the affidavit, to-wit: =X=

It is further ordered that any and all property seized by authority of this Warrant or during the execution thereof shall be and remain under the care, custody, and control of any peace officer to whom this Warrant is delivered for execution. Further, said property may be removed and taken to any location as deemed necessary by such peace officer for purposes of safekeeping and completion of any investigation or proceedings related to the activities described in the Affidavit upon which the foregoing Warrant was issued.

Herein fail not, but have you then and there this Warrant to be executed without delay; and upon compliance with the orders herein, make return forthwith showing how you have executed same within 15 days of the date below, exclusive of the day of issuance and the day of its execution.

Issued this the \_\_\_day of \_\_\_\_\_, \_\_\_, at \_\_ o’clock \_\_. M., to certify which witness my hand this day.

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

=X= [Title of Magistrate]

=X= County, Texas