

IMPORTANT NOTICE TO ARREST WARRANT APPLICANTS

Under Georgia Law (O.C.G.A. § 17-4-40), except for limited, specific circumstances before an arrest warrant may be issued an application for the warrant must be filed and a hearing on the application must be held. To schedule the hearing, the court must attempt to notify the person, whose arrest is being sought, of the date, time, and location of the hearing.

TO FILE AN ARREST WARRANT APPLICATION:

- An Incident Report is necessary from the Sheriff’s Department or City Police where the Incident happened.
- The completed arrest warrant application must be paid for and filed at the Magistrate Office between the hours of 8:00 am-12:00 pm and 1:00 pm-5:00 pm – Monday through Friday. There are no exceptions to these time periods.
- State law provides that the applicant, unless involved in a domestic violence situation, as provided in O.C.G.A. § 15-10-82, shall pay a **non-refundable application fee of \$10.00 for each warrant you attempt to have issued.**
- The applicant must provide the full name, last known complete address, date of birth and physical description, of the person whose arrest is being sought. The application may only include one person to be arrested per application.
- The application must give a full description of the alleged crime by including the date and location of the incident. The alleged crime must have occurred in Liberty County in order for the hearing to be scheduled at the Liberty County Magistrate Court.
- For child abandonment arrest warrant applications, the application should not be filed unless there has been 30 days of total abandonment by the non-custodial parent, (30 days of no food, clothing, money, medical insurance, or extended visitation.) If the non-custodial parent does not live in Georgia, the applicant should seek assistance from the District Attorney and should not file an application with the Magistrate Court. If the non-custodial parent lives in Georgia, the application should be filed in the county of the child’s residence.
- You must have all witnesses and evidence present at trial.
- You may subpoena witnesses if necessary. There is a \$5.00 fee per subpoena, and a \$10.00 fee for the Sheriff’s Department to service the subpoena. There is not a \$10.00 Sheriff’s Fee if you choose to service the subpoena yourself.
- If your arrest warrant application is denied or if you dismiss the application, you cannot file again on the same set of facts.
- The applicant does not have the right to see a Magistrate Judge. **The Judge will not hear any evidence before the scheduled hearing. So please do not ask.**
- This is an application to have someone arrested and will not result in award of money damages or cause property to be returned.
- Under Georgia Law, the employees of the Magistrate Court cannot give legal advice. The judge cannot give legal advice. If you have questions about your legal rights or what options are available, you should consult an attorney.

If you plan to present any documents to the court on your hearing date, please be prepared to provide a copy to the Judge and all parties. Photos on cell phones and other electronic devices may not be considered. They must be printed in order to be considered as evidence. If you are unable to provide the Judge and all parties copies of your documents be prepared to pay \$1.00 per page for copies.

I have read and understand the above information about arrest warrant applications.

_____/_____
Signature of Applicant Date

FOR OFFICE USE ONLY:

COURT DATE: THE _____ DAY OF _____, 20____ AT 1:00 PM

LOCATION: 201 SOUTH MAIN STREET, LIBERTY COUNTY MAGISTRATE COURT COURTROOM,
SECOND (2ND) FLOOR, JUSTICE CENTER BLDG., HINESVILLE, GEORGIA 31313

CASE NUMBER: _____ – _____ PW

NAME OF THE ACCUSED: _____

CHARGE: _____