

**SUBPOENAS &
SUMMONSES**

**SUBPOENAS & SUMMONSES**

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# Summons for Defendant (Arts. 23.03 and 23.04, C.C.P.)

 **CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:**

 **You are hereby commanded to summon** Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to appear before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_ County, Texas at \_\_\_\_\_o’clock \_\_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, then and there to answer to the State of Texas by and through the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for a misdemeanor offense committed against the laws of the State of Texas (an ordinance of the said city), to wit: ,
of which offense Defendant is accused by written complaint, under oath by .

**Defendant:**

Failure to appear may result in your arrest.

It is an offense for a person to intentionally influence or coerce a witness to testify falsely or to elude legal process. It is also a felony offense to harm or threaten to harm a witness or prospective witness in retaliation for or on account of the service of the person as a witness or to prevent or delay the person’s service as a witness to a crime.

Faltar a comparecer puede resultar en su arresto.

Es una ofensa que una persona intencionalmente ejerza influencia o coerción sobre un testigo para que testifique falsamente o para eludir el proceso legal. También es una ofensa de delito grave, o felonía, dañar o amenazar a un testigo o testigo en prospecto por retaliación por o debido al servicio que la persona presta como testigo, o prevenir o dilatar los servicios de la persona como testigo de un crimen.

 **HEREIN FAIL NOT,** and make due return hereof, showing how you executed the same.

 **WITNESS** my official signature, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

*(municipal court seal)*

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

 Judge, Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County, Texas

**OFFICER’S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_o’clock \_\_\_\_.m., and executed the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_o’clock \_\_\_\_\_.m. by 🞎 Delivering a copy of this Summons to the Defendant personally 🞎 Leaving a copy of this Summons at the Defendant’s dwelling house or usual place of abode with some person of suitable age and discretion then residing therein 🞎 Mailing a copy of this Summons to the Defendant’s last known address.

Returned on this the \_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Address:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Peace Officer’s Signature

#

# parental Summons (Arts. 45.0215 and 45.057(e))

##### CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

 **A Minor Child**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS - GREETINGS:**

 **YOU ARE HEREBY COMMANDED to** **summon** *(name of parent, managing conservator, or guardian)*

to personally appear at \_\_\_\_o'clock \_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ , before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas.

**To the person named above:**

 You are **ORDERED** to personally appear **AND** to bring the defendant, *(name of child)* , a minor child, with you to the Municipal Court at the time and place stated above and to appear and be present during the taking of the defendant’s plea and all other proceedings relating to the case. Failure to appear may be punishable as a Class C misdemeanor.

 It is an offense for a person to intentionally influence or coerce a witness to testify falsely or to elude legal process. It is also a felony offense to harm or threaten to harm a witness or prospective witness in retaliation for or on account of the service of the person as a witness or to prevent or delay the person’s service as a witness to a crime.

 Se le ordena que comparezca personalmente y traiga a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(nombre del niño)*, un niño menor, con usted al Tribunal Municipal a la hora y el lugar determinado arriba y que comparezca y esté presente durante la toma de declaración del demandado y en todos los procesamientos relacionados con el caso. La falta a comparecer puede ser castigada como un delito de crimen menor Clase C.

Es una ofensa que una persona intencionalmente ejerza influencia o coerción sobre un testigo para que testifique falsamente o para eludir el proceso legal. También es una ofensa de delito grave, o felonía, dañar o amenazar a un testigo o testigo en prospecto por retaliación por o debido al servicio que la persona presta como testigo, o prevenir o dilatar los servicios de la persona como testigo de un crimen.

 **HEREIN FAIL NOT**, and make due return hereof, showing how you executed the same.

 **WITNESS** my official signature, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

*(municipal court seal)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge, Municipal Court

 City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas

**OFFICER’S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_o’clock \_\_\_\_.m., and executed the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_o’clock \_\_\_\_\_.m. by 🞎 Delivering a copy of this Summons to the person personally 🞎 Leaving a copy of this Summons at the person’s dwelling house or usual place of abode with some person of suitable age and discretion then residing therein 🞎 Mailing a copy of this Summons to the person’s last known address.

Returned on this the \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

Address:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Peace Officer’s Signature

#

# Corporate Summons (Art. 17A.03, C.C.P.)

 **CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:**

 **You are hereby commanded to summon** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, acting as registered agent (president\*)(vice-president\*) for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a corporation under the laws of the State of Texas, to appear before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_ County, Texas, at or before 10 o’clock a.m. on the Monday next after the expiration of 20 days from the date of service of this Summons, then and there to answer to the State of Texas by and through the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for a misdemeanor offense committed by the Corporation, as Defendant, against the laws of the State of Texas (an ordinance of the said city), to wit: ,
of which offense the Defendant is accused by written complaint, under oath by .

 **HEREIN FAIL NOT,** and make due return hereof, showing how you executed the same.

 **WITNESS** my official signature, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

*(municipal court seal)*

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

 Judge, Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County, Texas

**OFFICER’S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_o’clock \_\_\_\_.m., and executed the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_o’clock \_\_\_\_\_.m. by 🞎 Personally delivering a copy of this Summons to the corporation’s registered agent (\*president)(\*vice-president) 🞎 Personally delivering a copy to the Texas Secretary of State, his/her deputy or clerk, after diligently but unsuccessfully attempting to effect service on the registered agent (\*president)(\*vice-president).

Returned on this the \_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 Peace Officer’s Signature

**Editor’s Note:** Attach to this summons a certified copy of the complaint against the corporate defendant.

\*If a registered agent has not been designated or cannot with reasonable diligence be found at the registered office, then the peace officer shall serve the summons by personal delivery to the president or vice-president of the corporation. *See* Article 17A.04, C.C.P., for rules on service.

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# Subpoena for Witness (Art. 24.01, C.C.P.)

 **CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**To any peace officer of the State of Texas – GREETINGS:**

 **You are hereby commanded** **to summon** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to appear before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_.m., then and there to testify as a witness on behalf of the (State) (Defense), in the above styled and numbered cause now pending before said Court, and there to remain from day to day, and from term to term, until discharged by said Court.

 **Herein fail not**, and make due return hereof, showing how you executed the same.

 **Witness** my official signature, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 (Judge) (Clerk) (Deputy Clerk), Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Texas

 **OFFICER'S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and executed the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by

 🞎 reading the subpoena in the hearing of the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 delivering a copy of the subpoena to the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 electronically transmitting a copy of the subpoena, acknowledgement of receipt requested, to the witness’s last known electronic address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and acknowledgement of receipt attached.

 🞎 mailing a copy of the subpoena by certified mail, return receipt requested, to the witness’s last known address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and by delivery of the return receipt, attached hereto, to me by the United States Postal Service on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

or not executed as to the witness because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the diligence used in finding said witness being:

and the information received as to the whereabouts of the said witness being:

 Returned on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 Official Signature of Executing Officer

**Editor’s Note:** The person named in the subpoena to summon the witness may, in lieu of a peace officer, be any person at least 18 years of age who is not a participant in the proceeding. Art. 24.01(b)(2), C.C.P. If a subpoena is being served on the witness by electronic mail, the subpoena must contain notice that an acknowledgement of receipt of the subpoena must be made in a manner enabling verification of the person acknowledging receipt. Art. 24.04(c), C.C.P. A subpoena cannot be served by certified mail if the applicant for the subpoena makes that request in writing or if the proceeding for which the witness is being subpoenaed is set to begin within seven business days after the date the subpoena would be mailed. Art. 24.04(a)(4), C.C.P.

# Subpoena for Child Witness (Art. 24.011, C.C.P.)

 **CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**To any peace officer of the State of Texas – GREETINGS:**

 **You are hereby commanded** **to summon** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a person having custody, care, or control of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of child witness)*, a child, to produce the said child before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_.m., then and there to testify as a witness on behalf of the (State) (Defense), in the above styled and numbered cause now pending before said Court, and there to remain from day to day, and from term to term, until discharged by said Court.

 **Herein fail not**, and make due return hereof, showing how you executed the same.

 **Witness** my official signature, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 (Judge) (Clerk) (Deputy Clerk), Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Texas

 **OFFICER'S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and executed the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by

 🞎 reading the subpoena in the hearing of the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 delivering a copy of the subpoena to the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 electronically transmitting a copy of the subpoena, acknowledgement of receipt requested, to the witness’s last known electronic address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and acknowledgement of receipt attached.

 🞎 mailing a copy of the subpoena by certified mail, return receipt requested, to the witness’s last known address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and by delivery of the return receipt, attached hereto, to me by the United States Postal Service on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

or not executed as to the witness because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the diligence used in finding said witness being: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

and the information received as to the whereabouts of the said witness being: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 Returned on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 Official Signature of Executing Officer

# Subpoena Duces Tecum (Art. 24.02, C.C.P.)

 **CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS - GREETINGS:**

 **YOU ARE HEREBY COMMANDED to summon**

to be and personally appear at \_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas, to be held within and for said City at *(address of court)*

then and there to testify and the truth to speak on behalf of the (State) (Defense) in the above styled and numbered cause now pending before said Court, and there to remain from day to day, and from term to term, until discharged by said Court. Said above named witness(es) is (are) further commanded to produce at said time and place above set forth the following books, papers, documents, or other tangible things, to wit:

 .

 **HEREIN FAIL NOT**, and make due return hereof, showing how you executed the same.

 **WITNESS** my official signature, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 (Judge) (Clerk) (Deputy Clerk), Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Texas

**OFFICER'S RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and executed the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by

 🞎 reading the subpoena in the hearing of the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 delivering a copy of the subpoena to the witness at \_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_\_.m.

 🞎 electronically transmitting a copy of the subpoena, acknowledgement of receipt requested, to the witness’s last known electronic address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and acknowledgement of receipt attached.

 🞎 mailing a copy of the subpoena by certified mail, return receipt requested, to the witness’s last known address, to wit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and by delivery of the return receipt, attached hereto, to me by the United States Postal Service on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

or not executed as to the witness because \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the diligence used in finding said witness being: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

and the information received as to the whereabouts of the said witness being: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 Returned on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

**Editor’s Note:** See note on *Subpoena for Witness*, which applies for all subpoenas. If the defendant or the attorney representing the state requests the issuance of an attachment under Article 24.011 (subpoena for a child witness), other than an attachment for a witness described by Article 24.011(c) (witness is in custody), the request must include the applicable affidavit described by Article 24.12. The judge may only issue a writ of attachment requested under Article 24.011 after a hearing and determination that it is in the best interest of justice. The court shall appoint an attorney for the witness at the hearing. *See* Article 24.111, C.C.P.

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

 Official Signature of Executing Officer

# Writ of Attachment for Witness Disobeying Subpoena (Arts. 24.11 and 24.12, C.C.P.)

**Editor’s Note:** See note on *Subpoena for Witness*, which applies for all subpoenas.

###  CAUSE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:**

 **YOU ARE HEREBY COMMANDED TO TAKE THE BODY OF** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and bring him/her before the Municipal Court of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, located at

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ :

🞎 **immediately**

🞎 **at** \_\_\_\_\_\_\_ **o’clock** \_\_\_**.m. on the** \_\_\_\_\_\_\_ **day of** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, 20\_**\_\_\_

then and there to testify as a witness on behalf of the (State) (Defense) in the above styled and numbered case now pending before this Court.

 **HEREIN FAIL NOT**, and make due return hereof, showing how you executed the same.

 **WITNESS** my official signature, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

*(municipal court seal)*

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

 (Judge) (Clerk) (Deputy Clerk), Municipal Court

 City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas

**OFFICER'S RETURN**

 Came to hand the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and executed on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by taking the body of the above named person and bringing him/her before the court at \_\_\_\_\_\_\_\_\_\_\_\_\_\_ o’clock \_\_\_\_.m.

Returned on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 Officer’s Signature

# Witness Excuse Letter

**Editor’s Note:** A judge may only issue a writ of attachment requested under Article 24.12 after a hearing and determination that it is in the best interest of justice. The court shall appoint an attorney for the witness at the hearing. A request for an attachment must include an affidavit of the attorney representing the state or the defendant, as applicable, stating that the affiant has good reason to believe, and does believe, that the witness is a material witness. *See* Article 24.111, C.C.P.

*(municipal court seal)*

**MUNICIPAL COURT**

**CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**TO WHOM IT MAY CONCERN:**

This is to certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appeared in response to an official witness subpoena in the Municipal Court, City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Texas at \_\_\_\_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_.m., this date and [he][she] [did][did not] serve as a witness and was released from witness subpoena at \_\_\_\_\_\_\_\_\_\_\_\_\_ o'clock \_\_\_.m., this date by the Judge, Municipal Court, City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas.

This the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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

 (Judge)(Bailiff)(Clerk), Municipal Court

 City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Texas