

A faint, light gray background image of a pair of scales of justice. The scales are centered behind the text. They have a central vertical pillar with a horizontal beam across the top. Two pans hang from the beam by thin wires. The entire image is rendered in a light gray color, serving as a subtle backdrop for the title.

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

STATE OF TEXAS	CAUSE NUMBER: _____	IN THE MUNICIPAL COURT
	§	
VS.	§	CITY OF _____
	§	_____ COUNTY, TEXAS
_____ A Minor Child		

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.

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.

WITNESS my official signature, this day of , 20 .

Judge, Municipal Court

City of _____

County, Texas

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.

Peace Officer's Signature

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.

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

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____.

Official Signature of Executing Officer

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

WRIT OF ATTACHMENT FOR WITNESS DISOBEYING SUBPOENA (Arts. 24.11 and 24.12, 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 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

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.

WITNESS EXCUSE LETTER

(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