

A stylized, light gray icon of a pair of scales of justice. It features a central vertical pillar with a decorative top, a horizontal beam across the top, and two pans hanging from the beam. The entire icon is centered on the page.

# **ENFORCEMENT**

# ENFORCEMENT

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## CHRONOLOGICALLY DISTINGUISHING THE WARRANT, CAPIAS, AND CAPIAS PRO FINE IN THE TEXAS CODE OF CRIMINAL PROCEDURE

Purpose	Prior to Formal Charging	After Formal Charging but Prior to Judgment	After Judgment and Sentence
<b>Bond Forfeiture or Surrender of Principal</b>	“Arrest Warrant” by <i>Magistrate</i> – Art. 17.19	“Capias” by <i>Trial Court Judge</i> – Arts. 17.19 and 23.05	
<b>To Procure Custody</b>	“Arrest Warrant” upon oath of affirmation & determination of probable cause by <i>Magistrate</i> – Art. 15.03  Specific Provision: Art. 45A.104 “Arrest Warrant” by <i>Municipal Court</i> or <i>Justice Court Judge</i>	“Capias” by <i>Trial Court Judge</i> – Art 23.04 – Specific Provision: – Art. 45A.104 “Arrest Warrant” by <i>Municipal Court</i> or <i>Justice Court Judge</i>	“Chapter 43 Capias” by <i>Trial Court Judge</i> – Art. 43.015(1) – Art. 43.021 – Art. 43.04 – Art. 43.06 –
<b>To Enforce Judgment for Unpaid Fines and/or Costs</b>			“Capias Pro Fine” by <i>Trial Court Judge</i> • General Provisions – Art. 43.015(2) – Art. 43.021 – Art. 43.05 – Art. 43.06 – Art. 43.07 • Specific Procedures in Chapter 45A Courts – Art. 45A.259 – Art. 45A.261

CLERK'S AFFIDAVIT FOR CAPIAS PRO FINE

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

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

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

§

\_\_\_\_\_ COUNTY, TEXAS

I, \_\_\_\_\_, being duly sworn, upon oath, state that I have good reason to believe and do believe that on or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, Defendant, defaulted in payment of a fine and court costs. My belief is based upon the following:

I am the Municipal Court Clerk and custodian of records for the \_\_\_\_\_ Municipal Court, City of \_\_\_\_\_, \_\_\_\_\_, County, Texas. On \_\_\_\_\_, 20\_\_\_\_, I personally examined the official records of this Municipal Court. The records indicate that the Defendant in the above styled and numbered cause was charged with the offense of: \_\_\_\_\_ and was found guilty of the offense on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The records indicate that the Defendant was ordered to make (a payment) (certain prescribed payments) on the fine and costs imposed in the above mentioned case on the following date(s): \_\_\_\_\_.

The records indicate that the Defendant did not appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to make a payment or to request an extension as ordered by the Court. The records show that said Defendant owes \_\_\_\_\_ dollars (\$\_\_\_\_\_) in fine and court costs to satisfy the judgment.

I sent notice to the Defendant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The records indicate that the court held a hearing as required by Article 45A.259 of the Code of Criminal Procedure on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_m. at the \_\_\_\_\_ Municipal Court. The records show that:

the Defendant failed to appear at the hearing.

**OR**

the Defendant appeared at the hearing and subsequently failed to comply with the judgment as ordered by the judge pursuant to Article 45A.259(f) of the Code of Criminal Procedure following a determination at the hearing that the judgment does not impose an undue hardship on the Defendant.

\_\_\_\_\_  
Affiant

Sworn to and subscribed before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Judge) (Clerk) (Deputy Clerk)

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

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

**Editor's Note:** Under Article 45A.259(d), C.C.P., a court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under Subsection (f) as a result of the hearing.

If the defendant failed to bring appropriate documentation to the hearing, that could be noted in the affidavit as well.

SHOW CAUSE NOTICE PRIOR TO ISSUANCE OF CAPIAS PRO FINE (Art. 45A.259, C.C.P.)

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

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

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

§

\_\_\_\_\_ COUNTY, TEXAS

SHOW CAUSE NOTICE

The official Court record shows that you have failed to satisfy the judgment rendered against you on \_\_\_\_\_, 20\_\_ according to its terms. The court will hold a hearing on your ability to satisfy the terms of the judgment on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock \_\_\_\_m. at the \_\_\_\_\_ Municipal Court, located at \_\_\_\_\_.

The hearing scheduled on the date and time above is your opportunity to explain why all the terms of the judgment have not been completed on time.

If the reason for failure to satisfy the judgment is because you cannot pay, bring any documents with you to the hearing that you believe will help the judge determine whether the judgment imposes an undue hardship, including pay stubs, bills, letters regarding government assistance, and similar documents. It is **your obligation** to provide enough information for the Judge to be able to fully understand your financial situation.

If the judge determines that the judgment imposes an undue hardship, alternatives to full payment of the fine and costs are available, such as installment payments and community service. The judge shall determine whether the fine and costs should be satisfied through one or more methods listed under Article 45A.252.

**Failure to appear on this date and time may result in the issuance of a capias pro fine and commitment to jail to discharge the judgment under Article 45A.261 of the Code of Criminal Procedure. Additional fees by law may result.**

If you are unable to appear at the hearing, contact the court immediately. You can reach the court by calling \_\_\_\_\_.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*(municipal court seal)*

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

**Editor's Note:** Under Article 45A.259(d), C.C.P., a court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under Subsection (f) as a result of the hearing.

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

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

TO THE CHIEF OF POLICE OF THE CITY OF \_\_\_\_\_ OR ANY PEACE OFFICER OF THE STATE OF TEXAS  
– GREETINGS:

Whereas on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before Judge \_\_\_\_\_ of the Municipal Court of the City of \_\_\_\_\_, Texas, \_\_\_\_\_, the Defendant, date of birth \_\_\_\_\_, was convicted of the offense of: \_\_\_\_\_ and a judgment was rendered by said Court in favor of the State, against said Defendant for the sum of \$ \_\_\_\_\_ and all costs of court; and there is due and unpaid the amount of \$ \_\_\_\_\_.

Pursuant to Article 45A.259 of the Code of Criminal Procedure, the Court sent notice to the Defendant on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and held a hearing at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

At the hearing, the judge determined that the Defendant failed to:

appear at the hearing.

**OR**

comply with an order issued under Subsection (a-4) as a result of the hearing.

Therefore, the Court hereby finds that said Defendant has defaulted and failed to wholly satisfy the judgment in the above styled case.

**You are therefore COMMANDED** to bring said Defendant before the Municipal Court of the City of \_\_\_\_\_, Texas immediately *[or before a municipal court located in the same municipality if this Court is unavailable]* or place him or her in jail until (he)(she) can be brought before the Court without delay until the next business day following the date of the Defendant’s arrest if the Defendant cannot be brought before the Court immediately.

**The arresting officer is ORDERED** to notify the Court **IMMEDIATELY** upon arrest of the Defendant. If the Defendant is placed in jail, **jail personnel are ORDERED** to notify the Court **IMMEDIATELY** upon placement of the Defendant in jail.

**In witness whereof**, I have hereunto set my hand at my office in the Municipal Court of the City of \_\_\_\_\_, Texas this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge, Municipal Court

*(municipal court seal)*

.....  
**OFFICER'S RETURN**

Came to hand the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_.m. and executed on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_.m. the same by arresting \_\_\_\_\_, the named Defendant.

Notice was provided to the Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_.m.

\_\_\_\_\_  
Arresting Officer

**Editor’s Note:** The importance of the communication by the arresting officer and/or the jail to the court that issued the capias pro fine cannot be overstated. A capias pro fine is not commitment, which requires specific procedural safeguards under the U.S. Constitution and Art. 45A.261, C.C.P. A court may not issue a capias pro fine for the defendant’s failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under Article 45A.259(f) as a result of the hearing. Art. 45A.259, C.C.P.

ORDER OF COMMITMENT (Art. 45A.261, 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 commanded to take into custody and commit to the jail of your County(Municipality) the above-named Defendant, who was, on the \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_, convicted before the Municipal Court in the City of \_\_\_\_\_, \_\_\_\_\_ County, Texas of the offense of \_\_\_\_\_ and was assessed a fine and court costs totaling \$ \_\_\_\_\_, of which \$ \_\_\_\_\_ is unpaid.

The undersigned finds that EITHER (check the applicable one):

- (1) the arrestee is the same person as the Defendant in the cause described above;
- (2) the Defendant has intentionally failed to make a good faith effort to pay said fine or costs; and
- (3) the Defendant is not indigent and has failed to make a good faith effort to discharge said fine or costs;

OR

- (1) the arrestee is the same person as the Defendant in the cause described above;
- (2) the Defendant has intentionally failed to make a good faith effort to pay said fine or costs; and
- (3) the Defendant is indigent and:
  - (a) has failed to make a good faith effort to discharge the fine or costs under Article 45A.254, Code of Criminal Procedure, (community service);
  - (b) could have discharged the fine under Article 45A.254, Code of Criminal Procedure, (community service) without experiencing any undue hardship.

Therefore, you are commanded to keep the Defendant in custody until the sum of \$ \_\_\_\_\_ is fully paid or the Defendant is otherwise discharged by law. Unless otherwise specified in the judgment or sentence in said cause, pursuant to Article 45A.262, Code of Criminal Procedure, the Court specifies that the Defendant remain in jail a sufficient length of time to satisfy the remaining fine and costs at the following rate:

\_\_\_\_\_ hours (not less than 8 or more than 24) to earn  
\_\_\_\_\_ (minimum dollar amount \$150) to satisfy the fine and costs.

In the event the Defendant is committed for defaulting in more than one judgment, jail credit is to be assessed:

- Concurrently (at the same time, per judgment until jail credit exceeds or equals the sum total of fine and costs); or
- Consecutively (“stacked,” one sentence of confinement is to follow another until jail credit exceeds or equals the sum total of fine and costs) with following cause(s): List cause number(s), Court(s), date of judgment(s), offense(s), and fine and costs total(s)

Ordered on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(municipal court seal)

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

SHOW CAUSE NOTICE: ADULT DEFENDANT CONTEMPT (Sec. 21.002(c), G.C.)

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

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

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

\_\_\_\_\_

§

\_\_\_\_\_ COUNTY, TEXAS

ORDER TO SHOW CAUSE

Name: \_\_\_\_\_ Offense: \_\_\_\_\_

Address: \_\_\_\_\_

**You are hereby ordered** to appear before the \_\_\_\_\_ Municipal Court at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to show cause why you failed to abide by the terms of the judgment rendered against you on the \_\_\_\_\_, 20\_\_. Specifically, you are accused of failing to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**Failure to appear on this date and time will result in a finding of contempt being made against you, the Court imposing a fine of up to \$100 and/or a sentence of up to three (3) days in jail, and the issuance of a warrant to enforce the judgment of contempt.**

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

*(municipal court seal)*

SHOW CAUSE NOTICE: ADULT CONTEMPT (Not a Defendant) (Sec. 21.002(c), G.C.)

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

IN THE MATTER OF

§

IN THE MUNICIPAL COURT

§

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

(Contemnor)

§

\_\_\_\_\_ COUNTY, TEXAS

ORDER TO SHOW CAUSE

You are hereby ordered to appear before the \_\_\_\_\_ Municipal Court at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to show cause why you failed to abide by an order of the Court imposed on you on \_\_\_\_\_, 20\_\_. Specifically, you are accused of failing to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Failure to appear on this date and time will result in a finding of contempt being made against you, the Court imposing a fine of up to \$100 and/or a sentence of up to three (3) days in jail, and the issuance of a warrant to enforce the judgment of contempt.

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

(municipal court seal)

SHOW CAUSE NOTICE: JUROR CONTEMPT (Art. 45A.156(c), C.C.P.)

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

IN THE MATTER OF

§

IN THE MUNICIPAL COURT

§

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

\_\_\_\_\_  
(Contemnor)

§

\_\_\_\_\_ COUNTY, TEXAS

ORDER TO SHOW CAUSE

**You are hereby ordered** to appear before the \_\_\_\_\_ Municipal Court at \_\_\_\_\_ o'clock \_\_\_\_m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to show cause why you failed to appear for jury service in Cause Number \_\_\_\_\_ when summoned by the Municipal Court of the City of \_\_\_\_\_, Texas, which said conduct did then and there constitute civil contempt of Court.

**Failure to appear on this date and time will result in a finding of contempt being made against you, the Court imposing a fine of up to \$100, and the issuance of a warrant to enforce the judgment of contempt.**

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

*(municipal court seal)*

SHOW CAUSE NOTICE: PEACE OFFICER CONTEMPT (Art. 2.16, C.C.P.)

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

IN THE MATTER OF

§

IN THE MUNICIPAL COURT

§

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

\_\_\_\_\_  
(Contemnor)

§

\_\_\_\_\_ COUNTY, TEXAS

ORDER TO SHOW CAUSE

**You are hereby ordered** to appear before the \_\_\_\_\_ Municipal Court at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to show cause why you willfully refused or failed from neglect to execute the below described summons, subpoena, attachment, or other legal process when so ordered by this Court, which said conduct did then and there constitute civil contempt of Court.

**Failure to appear on this date and time will result in a finding of contempt being made against you, the Court imposing a fine of not less than \$10 nor more than \$200.**

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

*(municipal court seal)*

SHOW CAUSE NOTICE: WITNESS CONTEMPT (Art. 24.05, C.C.P.)

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

IN THE MATTER OF

§

IN THE MUNICIPAL COURT

§

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

\_\_\_\_\_  
(Contemnor)

§

\_\_\_\_\_ COUNTY, TEXAS

ORDER TO SHOW CAUSE

**You are hereby ordered** to appear before the \_\_\_\_\_ Municipal Court at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, to show cause why you failed to appear in this Court on \_\_\_\_\_, 20\_\_, to testify in Cause Number \_\_\_\_\_ pursuant to a witness subpoena issued to you, which said conduct did then and there constitute civil contempt of Court.

**Failure to appear on this date and time will result in a finding of contempt being made against you, the Court imposing a fine of up to \$100.**

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

*(municipal court seal)*

**CONTEMPT: ADULT PLEA**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

\_\_\_\_\_  
**(Contemnor)**

§

\_\_\_\_\_  
**COUNTY, TEXAS**

**CONTEMPT OF COURT—PLEA FORM**

I was informed of the accusation against me and my rights, including my right to have a hearing and the right to hire an attorney to represent me in this matter or to request an attorney represent me if I cannot afford one. I understand that a plea of true will result in me being found in contempt and the possibility of being sentenced up to three days in the county jail and/or fined up to one hundred dollars (\$100).

I fully understand the proceedings against me and my rights outlined above and voluntarily enter a plea of (true)(not true) to the accusation of contempt of Court.

- I waive the right to a hearing before the Court.
- I waive my right to have an attorney represent me in a hearing before the Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contemnor's Signature

**JUDGMENT OF DIRECT CONTEMPT: ADULT (Secs. 21.001 and 21.002(c), G.C.)**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

**(Contemnor)**

§

**\_\_\_\_\_ COUNTY, TEXAS**

**JUDGMENT OF CONTEMPT**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court has exercised its inherent authority and the authority granted by Section 21.002, Government Code, (to require the proceedings be conducted with dignity and in an orderly and expeditious manner)(to compel obedience of Court orders)(to so control the proceedings that justice is done).

The Court finds \_\_\_\_\_ in direct contempt of Court for *(describe conduct)*:

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

which occurred before this Court. The Court further finds that the above described actions were in contempt of court and that the conduct presented sufficient exigent circumstances as to merit a summary finding of contempt in that the actions of the contemnor disrupted proceedings before the court so that they could not be conducted with dignity and in an orderly and expeditious manner. The Court further finds that imposition of contempt is necessary to control the proceedings so that justice may be done. The Court further finds that the contemnor is not an officer of the Court.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that \_\_\_\_\_ is in direct contempt of court and shall be:

- Confined in \_\_\_\_\_ County Jail for a period of \_\_\_\_\_ (not to exceed three days).
- Fined the sum of \$ \_\_\_\_\_ (not to exceed \$100).

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_ County, Texas

*(municipal court seal)*

**JUDGMENT OF INDIRECT CONTEMPT: ADULT (Secs. 21.001 and 21.002(c), G.C.)**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

\_\_\_\_\_  
**(Contemnor)**

§

\_\_\_\_\_  
**COUNTY, TEXAS**

**JUDGMENT OF CONTEMPT**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court has exercised its inherent authority and the authority granted by Government Code, Section 21.001, to require the proceedings be conducted with dignity and in an orderly and expeditious manner and to compel obedience of court orders and to so control the proceedings that justice is done.

The Court finds that a notice of contempt was made to \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that \_\_\_\_\_ (did)(did not) attend a show cause hearing on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as set forth in the notice. The Court finds that Contemnor did not show good cause why he/she should not be held in contempt.

The Court finds that Contemnor violated an order of the Court to wit: \_\_\_\_\_.

The Court finds that a finding of contempt is necessary to compel obedience of Court orders.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that \_\_\_\_\_ is in contempt of court and shall be:

- Confined in \_\_\_\_\_ County Jail for a period of \_\_\_\_\_ (not to exceed three days).
- Fined the sum of \$ \_\_\_\_\_ (not to exceed \$100).

\_\_\_\_\_  
 Judge, Municipal Court  
 City of \_\_\_\_\_  
 \_\_\_\_\_ County, Texas

*(municipal court seal)*

**JUDGMENT OF CONTEMPT: FAILURE TO APPEAR FOR JURY SERVICE (Art. 45A.156(c), C.C.P.)**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

\_\_\_\_\_  
**(Contemnor)**

§

\_\_\_\_\_  
**COUNTY, TEXAS**

**JUDGMENT OF CONTEMPT**

**The Court** exercised its inherent authority and the authority granted by Article 45A.156, Code of Criminal Procedure, and ordered a venire be summoned for jury service, and required the appearance of the said Contemnor to appear as a venire person so that a jury trial could be conducted.

**The Court finds that:**

- Contemnor failed to appear for jury service, and Contemnor failed to appear after due notice for a show cause hearing on civil contempt and failed to present sufficient cause for failing to appear for jury service.
- Contemnor failed to appear for jury service, and Contemnor appeared for a show cause hearing and failed to present sufficient cause for failing to appear for jury service.
- Contemnor failed to appear for jury service, and Contemnor appeared for a show cause hearing and presented sufficient cause for failing to appear for jury service.

**Therefore,**

- The Court finds \_\_\_\_\_ in contempt of court for failing to appear for jury service.

**It is therefore ordered, adjudged, and decreed** that \_\_\_\_\_ is in contempt of court for failure to appear for jury service and is fined the sum of \_\_\_\_\_ (*maximum \$100*) for contempt.

- The Court finds \_\_\_\_\_ showed sufficient cause for failing to appear for jury service. This contempt charge is thereby dismissed and the above named person is discharged from any civil liability for failing to appear for jury service.

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_

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

*(municipal court seal)*

**JUDGMENT OF CONTEMPT: PEACE OFFICER FAILURE TO SERVE PROCESS (Art. 2.16, C.C.P.)**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

\_\_\_\_\_  
**(Contemnor)**

§

\_\_\_\_\_  
**COUNTY, TEXAS**

**JUDGMENT OF CONTEMPT**

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this Court issued legal process to \_\_\_\_\_, a peace officer under the laws of Texas to execute the process.

**Pursuant to Article 2.16, Code of Criminal Procedure, this Court finds that:**

- Contemnor willfully refused or failed from neglect to execute the process described as: \_\_\_\_\_, and Contemnor failed to appear after due notice for a show cause hearing on civil contempt and failed to present sufficient cause for (his)(her) failure or refusal to execute the process.
- Contemnor willfully refused or failed from neglect to execute the process described as: \_\_\_\_\_, and Contemnor appeared for a show cause hearing and failed to present sufficient cause for (his)(her) failure or refusal to execute the process.
- Contemnor failed to execute the process described as: \_\_\_\_\_, and Contemnor appeared for a show cause hearing and presented sufficient cause for (his)(her) failure.

**Therefore,**

- The Court finds \_\_\_\_\_ in contempt of court pursuant to Article 2.16, Code of Criminal Procedure.  
**It is therefore ordered, adjudged, and decreed** that \_\_\_\_\_ is in contempt of court for failure to execute legal process and is fined the sum of \_\_\_\_\_ (*minimum \$10, maximum \$200*) for contempt.
- The Court finds \_\_\_\_\_ showed sufficient cause for the failure to execute legal process. This contempt charge is thereby dismissed and the above named person is discharged from any civil liability for this failure.

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_  
County, Texas

*(municipal court seal)*

**JUDGMENT OF CONTEMPT: WITNESS REFUSAL TO OBEY SUBPOENA (Art. 24.05, C.C.P.)**

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

**IN THE MATTER OF**

§

**IN THE MUNICIPAL COURT**

§

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

\_\_\_\_\_  
**(Contemnor)**

§

\_\_\_\_\_  
**COUNTY, TEXAS**

**JUDGMENT OF CONTEMPT**

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this Court issued a witness subpoena to the above named contemnor to appear in this Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, then and there to testify in Cause Number \_\_\_\_\_ and to there remain from day to day, and from term to term, until discharged by this Court.

**The Court finds that:**

- Contemnor refused to obey the witness subpoena, and Contemnor failed to appear after due notice for a show cause hearing on civil contempt and failed to present sufficient cause for the refusal to obey the subpoena.
- Contemnor refused to obey the witness subpoena, and Contemnor appeared for a show cause hearing and failed to present sufficient cause for the refusal to obey the subpoena.
- Contemnor refused to obey the witness subpoena, and Contemnor appeared for a show cause hearing and presented sufficient cause for the refusal to obey the subpoena.

**Therefore,**

- The Court finds \_\_\_\_\_ in contempt of court for refusing to obey a witness subpoena.

**It is therefore ordered, adjudged, and decreed** that \_\_\_\_\_ is in contempt of court for refusing to obey the witness subpoena and is fined the sum of \_\_\_\_\_ (*maximum \$100*) for contempt.

- The Court finds \_\_\_\_\_ showed sufficient cause for the refusal to obey a witness subpoena. This contempt charge is thereby dismissed and the above named person is discharged from any civil liability for the refusal to obey the witness subpoena.

\_\_\_\_\_  
Judge, Municipal Court  
City of \_\_\_\_\_  
\_\_\_\_\_  
County, Texas

*(municipal court seal)*

ABSTRACT OF JUDGMENT

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

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

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

\_\_\_\_\_

§

\_\_\_\_\_ COUNTY, TEXAS

I, \_\_\_\_\_, Municipal Court Clerk for the City of \_\_\_\_\_, do hereby verify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, in the \_\_\_\_\_ Municipal Court, \_\_\_\_\_ County, Texas, in a cause entitled State of Texas vs. \_\_\_\_\_, Cause Number \_\_\_\_\_ on the docket of the Court, judgment was rendered in favor of the State of Texas, for the use and benefit of the City of \_\_\_\_\_, against \_\_\_\_\_, the Defendant, who resides at \_\_\_\_\_, whose birthdate is \_\_\_\_\_, whose Social Security Number is \_\_\_\_\_, and whose driver's license number is \_\_\_\_\_, in the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes court costs. The balance due on said judgment is \$ \_\_\_\_\_.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(municipal court seal)

\_\_\_\_\_  
Municipal Court Clerk  
City of \_\_\_\_\_  
\_\_\_\_\_  
County, Texas

Subscribed, sworn to, and acknowledged before me, the undersigned authority, by \_\_\_\_\_, Court Clerk for the City of \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

After recording, return to:

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

WRIT OF EXECUTION

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

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

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

\_\_\_\_\_

§

\_\_\_\_\_ COUNTY, TEXAS

TO ANY SHERIFF OR ANY CONSTABLE WITHIN THE STATE OF TEXAS:

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, \_\_\_\_\_ Municipal Court recovered a judgment in the Municipal Court of the City of \_\_\_\_\_, \_\_\_\_\_ County, Texas against \_\_\_\_\_, which judgment is recorded in the minutes of said Court. Said judgment is for the sum of \$ \_\_\_\_\_, of which \$ \_\_\_\_\_ is actually due.

Therefore, you are commanded that out of the property of \_\_\_\_\_, Defendant in execution, subject to execution by law, you cause to be made the sum of \$ \_\_\_\_\_, together with the costs of executing this writ.

You shall execute this writ according to its terms, and according to law, and have the said sums of money, together with this writ, showing how you have executed the same, before said Court, at \_\_\_\_\_ in the City of \_\_\_\_\_, \_\_\_\_\_ County, Texas, within 90 days from the date of this writ.

Witness, \_\_\_\_\_, Municipal Court Clerk for the City of \_\_\_\_\_, Texas this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(municipal court seal)

Attest:

\_\_\_\_\_  
Municipal Court Clerk