

**AFFIDAVIT FOR PROBABLE CAUSE – ISSUANCE OF A BAD CHECK**

I, \_\_\_\_\_, being duly sworn, upon oath, state that I have good reason to believe and do believe and charge before the making of the complaint that:

On or about \_\_\_\_\_, 20\_\_\_\_, in the Justice of the Peace Pct. 1 Place 3, Nueces County, State of Texas, Defendant, DEFENDANT NAME issued and passed check number \_\_\_\_\_, dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, payable to the order of \_\_\_\_\_ drawn on \_\_\_\_\_ for the payment of money without having sufficient funds on deposit with the bank for the payment in full of the check.

Affiant is employed by \_\_\_\_\_ (Merchant) and is responsible for handling customer’s checks. Affiant is personally familiar with the business practices of Merchant, which includes a requirement that before an employee of Merchant may accept a check from a customer, the employee must require that the customer display to the employee the customer’s Texas Driver License or Texas Department of Pubic Safety personal Identification Care, that the employee must compare and determine whether they are one and the same person; and the employee must then write the customer’s license or identification cared number on the check and the employee initials to indicate that the procedures were followed.

Affiant has examined the business record of Merchant. Those records reflect that Merchant employs \_\_\_\_\_ (employee), that on \_\_\_\_\_, 20\_\_\_\_. Employee in the course of employment with Merchant, accepted check no. \_\_\_\_\_ from \_\_\_\_\_, Defendant, for the payment of money; that as indicated by Employee’s notation on the check. Defendant presented Texas Driver License No. \_\_\_\_\_ or Texas Department of Public Safety Personal identification No. \_\_\_\_\_ that the Employee compared Defendant with the photograph contained on the License/Personal ID and believed them to be one and the same.

Affiant has further examined the business records of Merchant, including the check, and those records reflect that the check was presented for payment within thirty days after it was issued, and it was returned unpaid marked “\_\_\_\_\_”. The records also show that on \_\_\_\_\_ date a written notice was sent to the Defendant by certified mail with return receipt requested and further show that as of the date of the Affidavit the defendant has not paid the check.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
AFFIANT SIGNATURE

SWORN TO AND SUBSCRIBED before me by the above signed complaint, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public/Court Clerk



**IN ORDER TO FILE AN ISSUANCE OF BAD CHECK CASE WITH THIS OFFICE YOU MUST COMPLETE THE FOLLOWING:**

Location of where the check was received must be in Nueces County, Pct. 1 Pl. 3

Address where check was received: \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_

Amount of Check \$ \_\_\_\_\_ Check Number \_\_\_\_\_ Date \_\_\_\_\_

Person who Issued the Check \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_

Texas Driver License No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

**INDIVIDUAL FILING**

Name and address to send the recovered funds:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_

Texas Driver License No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

**BUSINESS FILING**

Business' Name to whom the check was written: \_\_\_\_\_

Business' Tax ID NO. \_\_\_\_\_

Contact Person Name \_\_\_\_\_

Business name and address to send the recovered funds:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_

Persons filing complaint: \_\_\_\_\_

Position \_\_\_\_\_ Date \_\_\_\_\_