

AFFIDAVIT FOR SEARCH WARRANT

THE STATE OF TEXAS {

COUNTY OF BRAZORIA {

The undersigned Affiant, being a peace officer under the laws of Texas and being duly sworn, on oath makes the following statements and accusations:

My name is _____. I am a Texas certified peace officer employed by the following law enforcement agency: _____

1. There is in _____ County, Texas a suspected person (hereinafter "suspect") described as follows:

Name: _____

Race: _____ Sex: _____ DOB: _____ Height: _____

Weight: _____ lbs. Hair color: _____

2. Suspect is presently in custody of a law enforcement agency, namely the _____, which will present the suspect to execute the warrant requested herein.

3. The suspect has possession of and is concealing human blood, which constitutes evidence that the suspect committed the offense described in paragraphs 4-7 below.

4. On or about the _____ day of _____, 20 _____, at or about _____ o'clock _____M., the suspect did then and there operate a motor vehicle in a public place in Brazoria County, Texas while intoxicated by not having the normal use of mental or physical faculties by reason of the introduction of alcohol, controlled substance, drug, dangerous drug, any other substance that could cause intoxication, or a combination of two or more of those substances into the suspect's body.

5. The suspect was operating a motor vehicle in a public place in Brazoria County, Texas on the above date based on the following facts:

____ A. I observed the suspect doing so.

____ B. The suspect admitted to me that the suspect had been operating a motor vehicle in a public place in Brazoria County, Texas just _____ minutes prior to my arrival.

____ C. A witness, (name & address) _____

told me that he/she witnessed the suspect operating a motor vehicle in a public place in Brazoria County, Texas just _____ minutes prior to my arrival.

6. I made the following observations about the suspect leading me to believe the suspect was intoxicated:

Odor of alcohol: _____
Condition of eyes: _____
Speech: _____
Attitude: _____
Balance: _____

H.G.N. clues: _____

Walk & Turn clues: _____

One Leg Stand clues: _____

7. Additional facts leading me to believe that the suspect was intoxicated while operating a motor vehicle in a public place:

8. I have seen intoxicated persons on many occasions in the past. Based on all of the above and my experience and training in intoxication-related offenses, I determined that the suspect was intoxicated by reason of the introduction of alcohol, controlled substance, drug, dangerous drug, any other substance that could cause intoxication, or a combination of two or more of those substances into the suspect's body, and I placed the suspect under arrest on or about the _____ day of _____, 20____ at or about _____ o'clock _____.M. for the offense of _____. I requested a sample of the suspect's breath and/or blood, which the suspect refused to provide. I know from my training and experience that alcohol and other intoxicating substances are absorbed into the bloodstream of an intoxicated person and that the blood of such person can be analyzed for the presence of alcohol and other intoxicating substances.

Wherefore, Affiant asks for a search warrant that will authorize Affiant or Affiant's agent to search the person of the suspect for the blood evidence described above and seize the same as evidence that the offense described was committed and that the suspect committed said offense, and to have said blood be forensically analyzed.

Further Affiant asks for issuance of an order to appropriate third parties directing them to assist Affiant in the execution of said warrant.

Affiant

Sworn to before me pursuant to Art. 18.01, *et. seq.*, Tex. Code of Crim. Pro. and Tex. Gov't. Code §312.011 and §602.002, on this _____ day of _____, 20____ at _____ o'clock _____.M.

Signature

Printed Name

- Magistrate, Brazoria County, Texas
- Peace Officer, Brazoria County, Texas
- Notary Public, State of Texas

