

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

THE STATE OF TEXAS

COUNTY OF [County Name]

I, [Your Full Legal Name], being duly sworn, declare under oath as follows:

1. I am over the age of eighteen (18) years and am a resident of [County Name] County, Texas. I have personal knowledge of the facts set forth in this Affidavit and am competent to testify to them.
2. I suffer from no legal disabilities that would prevent me from making this sworn statement.

1. Background of Affiant

[Insert short, succinct statement. Example: "I am the parent/guardian of [Child's Initials], a minor child involved in the underlying matter, and I submit this Affidavit based on my direct personal observations and review of official records."]

2. Statement of Purpose

This Affidavit is submitted as a Verified Criminal Complaint against the following named individuals and as-yet-unnamed actors: [List specific names, titles, and agencies, e.g., "Judge [Full Name], [Court], [County]; [CPS Worker Name], Texas Department of Family and Protective Services; [DA Name], [County] District Attorney's Office; etc."].

This Affidavit provides evidence establishing probable cause that the named actors committed offenses against the laws of the State of Texas.

Oath of Office

All public officials and employees referenced in this Affidavit have taken the Oath of Office required by Article XVI, Section 1 of the Texas Constitution, which states in relevant part:

"I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God."

They have also subscribed to the anti-bribery statement contained in the same constitutional provision. This Oath imposes a mandatory duty to act upon credible evidence of corruption, unlawful conduct by other officials, or violations of law.

3. Constitutional Guidelines

Please take notice that “All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit...” (Texas Constitution, Article I, § 2).

We the People are endowed by our Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness (Declaration of Independence).

The abrogation of a constitutional right is unlawful. Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.

Relevant constitutional protections include:

- U.S. Constitution, First Amendment: “Congress shall make no law ... abridging ... the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”
- U.S. Constitution, Fourteenth Amendment, § 1: “... nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”
- Texas Constitution, Article I, § 19 (Due Course of Law).

4. Statutory Guidelines – Duties of Magistrates

This Affidavit constitutes a complaint under Texas Code of Criminal Procedure Article 15.04, which provides: “The affidavit made before the magistrate or district or county attorney is called a ‘complaint’ if it charges the commission of an offense.”

A complaint is sufficient, without regard to form, if it meets the requisites of Texas Code of Criminal Procedure Article 15.05:

1. It must state the name of the accused, if known, or give a reasonably definite description;
2. It must show that the accused has committed some offense against the laws of the State, either directly or that the affiant has good reason to believe, and does believe, that the accused has committed such offense;
3. It must state the time and place of the commission of the offense as definitely as can be done by the affiant;

A magistrate may issue a warrant or summons when any person makes oath before the magistrate that another has committed some offense against the laws of the State (Texas Code of Criminal Procedure Article 15.03(a)(2)).

Courts and magistrates with criminal jurisdiction are listed in Texas Code of Criminal Procedure Article 4.01, which includes district courts, county courts, justice courts, and specifically appointed magistrates in counties such as Dallas, Tarrant, Travis, Bexar, and others. Many recipients of this Affidavit hold such jurisdiction and are therefore required to accept and act upon this complaint.

The Attorney General has concurrent jurisdiction to prosecute offenses under Chapter 39 with the consent of the local prosecutor (Texas Penal Code § 39.015), and it is required by their Oath when a District Attorney and/or Magistrate refuses.

Judges and judicial officers are further bound by the Texas Code of Judicial Conduct (as amended through September 1, 2024), including:

- Canon 1: Upholding the Integrity and Independence of the Judiciary
- Canon 2: Avoiding Impropriety and the Appearance of Impropriety
- Canon 3: Performing the Duties of Judicial Office Impartially and Diligently

6. Statement of Limited Presentation of Facts

This Affidavit does not include all facts known to me, but only those facts relevant and sufficient to establish probable cause. I have no duty to provide evidence to the accused or to conduct any investigation that falls under the purview of the recipients. The facts presented meet the burden for a finding of probable cause on the face of this complaint.

7. Statement of Facts

[Insert your concise, chronological, numbered timeline here. Use short, direct, factual statements limited to what you personally observed or have personal knowledge of. Focus only on dates, names, locations, and specific actions or failures that constitute violations. Example:]

1. On [Date], [Name and Title] at [location or court] knowingly [describe specific action or failure] in violation of [specific duty or statute].
2. On [Date], [Name and Title] intentionally denied or impeded my exercise of [specific right] knowing such conduct was unlawful.
3. [Continue numbering as needed.]

8. Relief Requested

Based on the facts set forth above, which establish probable cause, I respectfully request that the receiving magistrate or appropriate authority:

1. Find that probable cause exists and issue any appropriate arrest warrant(s) or summons(es).
2. Refer this complaint for full criminal investigation by the Texas Rangers, Office of the Attorney General, or other appropriate agency, particularly where local conflict of interest exists.
3. Assign an investigation or case number and provide written confirmation of receipt and action taken within a reasonable time.

Notice to Recipients

Failure to act upon this properly presented complaint may itself constitute a violation of your Oath of Office and the duties imposed by the Texas Code of Criminal Procedure. All responses should be verified and submitted under penalty of perjury.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and that I have personal knowledge of the facts contained herein unless otherwise noted.

Executed on this _____ day of _____, 20____.

[Your Full Legal Name] (Printed and Signature)

Affiant / Pro Se

Mailing Address: [Your Full Address]

Phone: [Your Phone Number]

Email: [Your Email Address (optional)]

NOTARY ACKNOWLEDGMENT

State of Texas

County of _____

Before me, the undersigned notary public, on this day personally appeared [Your Full Legal Name], known to me (or proved to me by satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this _____ day of _____, 20____.

Notary Public, State of Texas

My Commission Expires: _____

(Place Notary Seal Here)

1-Page Instructions: How to Complete and File This Affidavit (For First-Time Pro Se Users)

Step 1: Gather Information

- List all accused actors with full names and titles.
- Prepare a short, factual, numbered timeline limited to personal knowledge.

Step 2: Fill the Template

- Replace every [bracketed item] with your accurate details.
- Keep the Statement of Facts strictly factual and concise.

Step 3: Notarize

- Sign only in front of a notary with valid photo ID.

Step 4: File and Distribute

- File the original notarized Affidavit with an appropriate magistrate (via the court clerk).
- Deliver copies via certified mail with return receipt to the Sheriff, DA, Texas Rangers, OAG, etc.
- Request a case/investigation number in writing.

Step 5: Follow-Up

- Log all submissions and responses. Add to your master file.
- Follow up in writing every 7–14 days if needed.

Helpful Resources and Links

- Texas Code of Criminal Procedure Articles 15.03, 15.04, 15.05 & Article 4.01:
<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.15.htm>
- Texas Penal Code §§ 39.02, 39.03 & 39.015: <https://statutes.capitol.texas.gov/Docs/PE/htm/PE.39.htm>

- Texas Constitution, Article XVI, § 1 (Oath of Office):

<https://statutes.capitol.texas.gov/Docs/CN/htm/CN.16.htm>

- Texas Code of Judicial Conduct (current): <https://www.txcourts.gov/media/1461500/texas-code-of-judicial-conduct.pdf>

Note: This document is not legal advice. False statements under oath may result in perjury charges. Consult qualified counsel before filing. Relief requested must be within the lawful authority of the recipient magistrate or agency. Always verify current statutes on official websites before use.