

MISDEMEANOR WARRANT INSTRUCTIONS – WALKER COUNTY

YOU MUST FOLLOW THESE INSTRUCTIONS TO REQUEST A WARRANT!

1. FILL OUT A POLICE REPORT/INCIDENT REPORT AND GET YOUR CASE NUMBER
2. CALL THE MAGISTRATE AT (205) 384-7268 TO MAKE AN APPOINTMENT TO SEE THE MAGISTRATE
3. FILL OUT A DEPOSITION (AVAILABLE ON OUR WEBSITE WWW.WALKERCOUNTYSHERIFF.COM)
4. SHOW UP AT YOUR AGREED UPON APPOINTMENT DATE AND TIME

IF YOU DO NOT HAVE AN APPOINTMENT YOU MAY NOT BE SEEN

Jurisdiction of the Magistrate’s Office for Walker County as follows:

Misdemeanors – Offenses occurring outside each city limits of municipalities

Felonies – Offenses that occur in Walker County

Traffic – Offenses that occur in Walker County

Worthless Checks – All checks received in Walker County

Amendment Number Four in the Constitutional Bill of Rights states, “The right of the people to be secure in their persons, houses, and effects, against reasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and persons or things to be seized.”

Magistrates are a part of the judicial branch of government and are required to exercise independent judgment in the issuance of arrest warrants. The United States Supreme Court has determined that persons issuing warrants must be “neutral and detached” from the law enforcement function.

Requirements for Obtaining an Arrest Warrant:

1. An incident report must first be made on all felony and misdemeanor offenses. All felony offenses will require an investigation by the police agency having jurisdiction. If the incident occurred within the city limits of a town or city, you must go to that city or town’s police department. If it was outside the city limits, but within Walker County, you must go to the Walker County Sheriff’s Office to complete the incident report.
2. The victim must complete a “Deposition Form” (available on our website www.walkercountysheriff.com) before appearing before the magistrate. If unable to write, you will need to ask a family member or friend to help you. Magistrates and other court personnel are not permitted to assist with the completion of the deposition form. You must call to schedule an appointment as magistrate hours are limited.
3. The magistrate will place you under oath and listen to the facts. If probable cause is found, an arrest warrant will be issued. If the facts do not meet the criteria for a violation or a crime, a warrant will NOT be issued. It is the responsibility of the magistrate to determine probable cause. If you disagree with the magistrate’s decision, you may consult with the District Attorney for possible presentation before a grand jury.