

**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. 2, Wise County, State of Texas, Defendant, \_\_\_\_\_ 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 Public Safety personal Identification Card, 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 card 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 number \_\_\_\_\_ 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 Number \_\_\_\_\_ 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 (30) 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

\_\_\_\_\_  
SIGNATURE

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

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