CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

THE STATE OF TEXAS FOR THE § IN THE \_\_\_\_\_\_\_\_\_ COURT OF

 §

BEST INTEREST AND PROTECTION §

 §

OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (initials only) § \_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

**MAGISTRATE’S ORDER AND WARRANT FOR EMERGENCY DETENTION**

**(Sec. 573.012, Texas Health and Safety Code)**

BEFORE ME, the undersigned Magistrate of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Texas, appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter “Applicant”), an adult person who being duly sworn made written application for the emergency detention of another, namely \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (hereinafter “the Proposed Patient”). Based upon such application, upon the testimony of the Applicant, and upon other credible evidence presented to this Magistrate, I hereby make the following findings of fact:

1. There is reasonable cause to believe and I find that the Proposed Patient evidences mental illness.
2. There is reasonable cause to believe and I find that the Proposed Patient evidences a substantial risk of serious harm to themselves or to others.
3. There is reasonable cause to believe and I find that the risk of harm from the Proposed Patient is imminent unless the Proposed Patient is immediately restrained.
4. There is reasonable cause to believe and I find that emergency detention is the least restrictive means by which the necessary restraint may be affected, and the necessary restraint cannot be accomplished without emergency detention.

**Based upon said findings, it is accordingly ORDERED that the following warrant shall be issued:**

**TO ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS, GREETINGS:**

**YOU ARE HEREBY DIRECTED** to immediately apprehend \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, wherever they may be found, and transport them to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or to the nearest appropriate inpatient mental health facility, for a preliminary examination in accordance with the provisions of Section 573.021 of the Texas Health and Safety Code. A copy of the application for emergency detention and the warrant itself are to be immediately transmitted to the facility and delivered with the person.

*SIGNED ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUSTICE OF THE PEACE, PCT. \_\_\_/MAGISTRATE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

**OFFICER’S RETURN OF WARRANT**

The above warrant came to hand at \_\_\_\_\_\_\_\_\_\_\_ a.m./p.m. on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_\_, and was executed by apprehending the said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_ a.m./p.m. on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_\_, and delivering them to the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (attach a copy of the application for emergency detention and the warrant itself.)

SIGNED \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AGENCY\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_