

ADMINISTRATIVE ORDER #83-76

ORDER AUTHORIZING USE OF A REVISED
COMPLAINT/ARREST AFFIDAVIT, COUNTY CRIMINAL FORM NUMBER 59

This Order supersedes Administrative Order #83-20.

Effective immediately, all agencies in Pinellas County who are authorized to issue Complaint/Arrest forms, in County and Circuit court cases, are hereby authorized to use the attached CO CR Form 59, revised September, 1983, as the official Complaint/Arrest Form, in cases where an arrest is involved. It will also be permissible for the above agencies, where an arrest is involved; to continue to utilize CO CR Form 59, revised February, 1983, until that supply of forms is exhausted. Thereafter, all of the above-named agencies will exclusively use CO CR Form 59, revised September, 1983.

Effective immediately, upon receipt of CO CR Form 59, revised September, 1983, all agencies in Pinellas County who are authorized to issue Notice to Appear forms for County Court, must exclusively use CO CR Form 59, revised September, 1983, in Notice to Appear cases, where the defendant is being released at the site of the Notice to Appear issuance, with the following exceptions:

Any state or county agencies which have been issued pre-printed forms for Notice to Appear, which comply with Rule 3.125, Florida Rules of Criminal Procedure, are hereby authorized to continue to use that pre-printed form in Notice to Appear cases only.

Any case involving an arrest where the defendant is transported to the Pinellas County Jail will require utilization of CO CR Form 59.

All agencies in Pinellas County issuing Notice to Appear forms are required to comply with the reverse side of the original concerning "Schedule of Witnesses and Evidence; Notice to Appear Only". Any agency who prefers to provide that information on a separate sheet of paper, may do so, providing that that agency exactly duplicates the provided format for this information, and provides that information to the Clerk of Court upon filing the original Notice to Appear document. Upon receipt of the original Notice to Appear, with the reverse side information not completed, or submitted on a separate sheet, this Court may require the issuing officer to appear at the Criminal Court Complex, and complete the necessary form for the Clerk of Court.

DONE AND ORDERED in Chambers, at St. Petersburg, Pinellas County, Florida, this 13 day of September, 1983.

~~DAVID F. PATTERSON, CHIEF JUDGE~~

cc:

All Pinellas County and Circuit Judges
Gray Dunlap, County Attorney
Karleen DeBlaker, Clerk of Court
James T. Russell, State Attorney
Robert E. Jagger, Public Defender
Sheriff Gerard Coleman, Pinellas County Sheriff's Department
Chief John Yaintanes, Belleair Police Department
Chief C. F. Anderson, Belleair Beach Police Department
Chief C. Robert Meredith, Belleair Bluffs Police Department
Chief Sidney Klein, Clearwater Police Department
Chief Edward Smith, Dunedin Police Department
Chief Herman G. Golliner, Gulfport Police Department
Chief Edward F. Bulger, Indian Rocks Beach Police Department
Chief Gary Hess, Indian Shores Police Department
Chief Ruell Webster, Kenneth City Police Department
Chief Jerald R. Vaughn, Largo Police Department
Chief Bruno Kramer, Madeira Beach Police Department
Chief Ron Forbes, Pinellas Park Police Department
Chief C. Schnitzer, Redington Beach Police Department
Chief Samuel F. Lynn, St. Petersburg Police Department
Chief David Milchan, St. Petersburg Beach Police Department
Chief Blaine P. LeCouris, Tarpon Springs Police Department
Chief Clifford Frye, Treasure Island Police Department
Lt. J. A. Marsh, Florida Highway Patrol
Capt. Jack D. Thompson, Florida Marine Patrol
Col. R. M. Brantley, Director, Florida Game & Fresh Water Fish Commission

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

Felony () Charge	Misdemeanor ()	Ordinance ()	Warrant ()	Traffic ()
NCIC Code		Report No.		Court Case No.
Defendant's Name (Last, First, Middle)		DOB	Skin	Sex
Alias		Race	Ht.	Wt.
Local Address (Street, City)		Zip Code	Telephone	Place of Birth
Permanent Address (Street, City, State, Zip Code)		Telephone		
Scars, Tattoos, Unique Physical Features		Employed by:		
Codefendant's Name (Last, First, Middle)		DOB	Sex	Race
Codefendant's Name (Last, First, Middle)		DOB	Sex	Race

The undersigned certifies and swears that he has just and reasonable grounds to believe, and does believe that the above named defendant on the _____ day of _____, 19____ at approximately _____ a.m.() p.m.() at _____ in Pinellas County did:

List other traffic citations:

	Contrary to Florida Statute ()
	County () City () Ordinance _____

Sworn to and subscribed before me this _____ day of _____, 19____	Affiant (Signature)	Agency
NOTARY PUBLIC (Seal) My Commission expires: _____	Printed Name	SPN (CJIS)

Jail (Located): _____	Arrest Date: _____	Time: _____ a.m.() p.m.()
Amount of Bond _____	Aggravating Factors: _____	
Booking Officer _____	Bond out (Mo/Da/Yr) _____	Time: _____ (a.m.) (p.m.)
		By: _____

NOTICE TO APPEAR ONLY

<p>MISDEMEANOR ():</p> <p>You must appear at _____ (Street) _____, Clearwater, Fla., _____ (Courtroom) _____ on _____ at _____ a.m.() p.m.().</p>	<p>ORDINANCE VIOLATION ():</p> <p>You must comply with either A or B:</p> <p>A. Appear at 5100-144th Avenue North, Courtroom L, Clearwater, Florida, on the _____ day of _____, 19____, at _____ a.m.() p.m.().</p> <p>B. Comply with the instructions on the reverse side of this form and pay the fine for a Category _____ offense within ten days of this Notice.</p> <p>Fine amount: _____</p>
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I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED ABOVE TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, OR PAY THE FINE REQUIRED BY THE DATES SET OUT ON THIS FORM, THAT I MAY BE HELD IN CONTEMPT OF COURT AND THAT A WARRANT FOR MY ARREST WILL BE ISSUED. I HEREBY CERTIFY BY MY SIGNATURE THE BELOW LISTED ADDRESS IS MY CORRECT ADDRESS.

Defendant's Signature _____	Address _____	Date of Receipt of Notice _____
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Copies to: White - Court Green - Jail Goldenrod - Defendant
 Blue - State Attorney Pink - Police Dept.

Co.CR.59 (Rev. 9/83)

WAIVER INFORMATION

IF YOU DESIRE TO PLEAD GUILTY OR NOLO CONTENDERE (NO CONTEST), AND YOU NEED NOT APPEAR IN COURT AS INDICATED ON THE FACE OF THIS NOTICE, YOU MAY PRESENT, IN PERSON OR BY MAIL, THIS NOTICE AT THE COUNTY COURT LOCATED AT:

5100-144th Avenue, North, Clearwater, Florida 33520

WITHIN TEN (10) DAYS OF THE DATE OF THE OFFENSE(S), AND PAY THE FINE BY CASH, MONEY ORDER, OR CERTIFIED CHECK, PAYABLE TO THE CLERK OF THE CIRCUIT COURT.

THE WAIVER BELOW MUST BE COMPLETED AND ATTACHED. READ CAREFULLY.

YOUR FAILURE TO ANSWER THIS SUMMONS IN THE MANNER SUBSCRIBED WILL RESULT IN A WARRANT BEING ISSUED ON A SEPARATE AND ADDITIONAL CHARGE.

"IN CONSIDERATION OF MY NOT APPEARING IN COURT, I, THE UNDERSIGNED, DO HEREBY ENTER MY APPEARANCE ON THE AFFIDAVIT FOR THE OFFENSE CHARGED ON THE OTHER SIDE OF THIS NOTICE AND WAIVE THE READING OF THE AFFIDAVIT IN THE ABOVE-NAMED CAUSE AND THE RIGHT TO BE PRESENT AT THE TRIAL OF SAID ACTION. I HEREBY ENTER MY PLEA OF GUILTY () OR NOLO CONTENDERE (), AND WAIVE MY RIGHT TO PROSECUTE APPEAL OR ERROR PROCEEDINGS."

"I UNDERSTAND THE NATURE OF THE CHARGE AGAINST ME; I UNDERSTAND MY RIGHT TO HAVE COUNSEL AND WAIVE THIS RIGHT AND THE RIGHT TO A CONTINUANCE, I WAIVE MY RIGHT TO TRIAL BEFORE A JUDGE. I PLEAD GUILTY () OR NOLO CONTENDERE () TO THE CHARGE BEING FULLY AWARE THAT MY SIGNATURE TO THIS PLEA WILL HAVE THE SAME EFFECT AS A JUDGMENT OF THIS COURT."

TOTAL FINE AND COST: _____

DEFENDANT SIGNATURE: _____ DATE: _____

ADDRESS: _____
