

Instructions for Preparing Affidavit and Search Warrant

This packet consists of seven parts. TYPE OR PRESS HARD.

*Alternate procedures may be required for these items when using electromagnetic means for issuing warrants.

1. In paragraph one FULLY describe the person, place, or thing to be searched and give its EXACT location.
2. In paragraph two FULLY describe the property that is to be searched for and seized.
3. In paragraph three set forth the facts and observations that establish probable cause. If additional pages are necessary, continue on form MC 231a.
4. *Present to prosecuting official for review if required locally.
5. *Present the original of the affidavit and search warrant to the judge/magistrate for review.
6. *Swear to the contents of the affidavit and sign it before the judge/magistrate.
7. Have the judge/magistrate sign both the original of the affidavit and the search warrant.
8. Print names of judge/magistrate and affiant on all copies of the affidavit and/or search warrant where the signatures have not been reproduced by the carbons.
9. Separate packet, retaining carbons to make duplicate tabulations later.
10. *Leave original affidavit and last copy of warrant with the issuing judge/magistrate.
11. *Execute search warrant at location given.
12. Complete the tabulation (list) of property taken in the presence of the person(s) from whom it is seized, if present, or any other person (including another officer).
13. Have person before whom the tabulation is completed sign the tabulation as witness.
14. *Leave a copy of the search warrant and completed tabulation with the person(s) from whom the property was taken, if present, or at the premises.
15. *Return the original search warrant and complete tabulation to the issuing court indicating the date returned and name of the person(s) served.

Approved, SCAO

Original warrant - Return to issuing court
1st copy - Prosecutor
2nd copy - Serve
3rd copy - Issuing judge

SEARCH WARRANT

TO THE SHERIFF OR ANY PEACE OFFICER:

Police Agency _____
Report Number: _____

_____, has sworn to the affidavit regarding the following:
1. The person, place, or thing to be searched is described as and is located at:

2. The PROPERTY to be searched for and seized, if found, is specifically described as:

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant and a tabulation (a written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to promptly return this warrant and tabulation to the court.

Issued: _____
Date Judge/Magistrate Bar no.

RETURN AND TABULATION

Search was made _____ and the following property was seized:
Date

Continued on other side.

Officer

Copy of warrant and tabulation served on: _____
Name

Tabulation filed: _____
Date