THE STATE OF TEXAS § IN THE JUSTICE COURT

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IN THE BEST INTEREST AND PROTECTION OF § PRECINCT NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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MAGISTRATE'S ORDER FOR EMERGENCY APPREHENSION AND DETENTION- (H & S Code sec. 573.012)

On the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , 20\_\_\_\_\_, came to be considered an Application for Emergency Detention of the above-referenced person, presented to me by the Applicant therefor.

After examining the Application and any accompanying relevant information, and after having interviewed the Applicant if necessary, I find there is reasonable cause to believe: (1) that the person evidences mental illness; (2) that the person evidences a substantial risk of serious harm to self or others; (3) that the risk of harm is imminent unless the person is immediately restrained; and (4) that necessary restraint cannot be accomplished without emergency detention.

Thus I find that the person meets all four criteria for emergency detention as set forth in Title 7, Subtitle C, Section 573.012 of the Texas Health and Safety Code.

It is therefore ORDERED that a Warrant be issued for the immediate apprehension and detention of the person to the nearest appropriate in-patient mental health facility for a preliminary examination in accordance with the provisions of Section 573.012 of the Texas Health and Safety Code.

If the person is currently in an in-patient mental health or treatment facility, the person shall be detained there in accordance with Section 572.004 of the Texas Health and Safety Code, if the head of the facility consents to such detention. If not, the person shall be transported to a facility deemed suitable by the county's Single Portal Authority under Section 573.012 of the Texas Health and Safety Code.

It is further ORDERED that copies of the application for Warrant and the Warrant itself be immediately transmitted to such facility and that the Warrant shall serve as an application for detention in the facility.

It is further ORDERED that the detention of the above-referenced person shall continue until such time that a physician conducts a preliminary examination, the results of which determine that the above-referenced person, in the written opinion of the examining physician meets the criteria for further detention pursuant to the appropriate provision of the Texas Health and Safety Code; or until 48 hours has expired from the time the above-referenced person has been apprehended under this ORDER and Warrant for Emergency Detention, unless an application for court-ordered treatment is filed and a written order for further detention is obtained pursuant to the provisions of the Texas Health and Safety Code.

It is further ORDERED that if the initial 48 hour period referenced above ends on a Saturday, Sunday, or legal holiday, then the above-referenced 48 hour period may continue for detention of the above-referenced individual until 4:00 o'clock p.m. on the next day that is not a Saturday, Sunday, or legal holiday.

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MAGISTRATE