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## Search Warrants and Aggregated Case

2 messages

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Lisa <lvanliere@otsegocountymi.gov>  
Reply-To: madcm@googlegroups.com  
To: MADCM <madcm@googlegroups.com>

Tue, May 15, 2018 at 2:32 PM

I had a couple of things come up last week that I was wondering how you may process in your courts.

1) Search warrants - If the affiant information filled out for a specific officer is listed on the affidavit for a search warrant and a different officer comes in to swear to that warrant do you process or ask that the affiant listed be present and issue to the affiant?

2) Aggregated Case- I currently have a case filed by our prosecutor that has 2 different incidents, one is from the City Police and one is from the Sheriff's Department. The complaint only lists the sheriff departments complaint number on the outstanding complaint and warrant. To issue the warrant how would you process? Would you have both officers give their probable cause and issue to the department that is listed on the complaint and would they both need to be present at the same time?

Thanks for you help

Lisa Van Liere  
87-A District Court

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James Patrick Brennan <jbrennan@ferndalecourt.com>  
Reply-To: madcm@googlegroups.com  
To: MADCM <madcm@googlegroups.com>

Tue, May 15, 2018 at 3:10 PM

Hi Lisa. I am not in the Court right now so I can't give you a cite. As to #1, I require the officer swearing under oath to sign. As to #2, my city attorney only has authority over city cases while the county prosecutor issues under state law. A complaint and warrant can't mix and match. If both charges are state, they can be combined in a single file. This is most common when I see a felony and a misdemeanor on a single warrant/ complaint. But if one is state and one is city, I have two files. Hope this helps

Brennan

*Sent from my Verizon 4G LTE Droid*  
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