

IN THE JUSTICE COURT OF \_\_\_\_\_ COUNTY, STATE OF MISSISSIPPI

STATE OF MISSISSIPPI versus

DEFENDANT: \_\_\_\_\_.

Case # \_\_\_\_\_. Docket # \_\_\_\_\_. Page # \_\_\_\_\_.

**CERTIFICATE OF INITIAL APPEARANCE**

I certify that the DEFENDANT charged in the above-styled case, being in custody but not under indictment, was granted an initial appearance before this Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. At the initial appearance this Court:

- Ascertained the defendant's true name, age, and address, and amended the formal charge if necessary to reflect this information;
- Instructed the defendant to notify the Court promptly of any change of address;
- Informed the defendant of the charge and provided the defendant with a copy of the charging affidavit;
- If the defendant was arrested without a warrant, determined whether there was probable cause for the arrest and noted the probable cause determination for the record;
- If there was no probable cause for the warrantless arrest, ordered the release of the defendant;
- If the defendant was unrepresented, advised the defendant of the right to assistance of an attorney;
- If the defendant was unable to afford an attorney and desired representation, appointed an attorney for an offense that may result in jail time or other loss of liberty or because the interests of justice required it; and
- Advised the defendant of:
  - (1) the right to remain silent and that any statements made may be used against the defendant;
  - (2) the right to communicate with an attorney, family or friends, and that reasonable means will be provided to enable the defendant to do so; and
  - (3) the conditions, if any, under which the defendant may obtain release.
- Further, if the defendant was charged with a felony, informed the defendant of the right to a preliminary hearing and the procedure by which that right may be exercised; and, if the defendant requested a preliminary hearing, set the time for a preliminary hearing in accordance with Rule 6.1 of the Mississippi Rules of Criminal Procedure.

WITNESS MY HAND this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
JUSTICE COURT JUDGE

**ACKNOWLEDGMENT**

I have been informed by the Court that I may obtain free of cost an AFFIDAVIT OF SUBSTANTIAL FINANCIAL HARDSHIP from the Clerk of the Court. I understand that I may complete and submit this form to the Court for consideration on the terms of my release and the appointment of counsel.

\_\_\_\_\_  
DEFENDANT

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
JUSTICE COURT CLERK / D.C.