

ALABAMA UNIFIED JUDICIAL SYSTEM FORM CR-1.1 REV. 8/26	APPLICATION FOR SEIZURE ORDER § 20-2-93, Ala. Code 1975	CASE NUMBER:
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In the _____ Court of _____ County, Alabama
 (Circuit or District) (Name of County)

THE STATE OF ALABAMA v. _____
 (Defendant)

I, the undersigned, apply for the issuance of a Seizure Order as I have probable cause to believe and do believe that the following personal property, to-wit: (Fully describe property):

was seized ☐ **with process** pursuant to § 20-2-93(d), Ala. Code 1975, or was seized ☐ **without process** under subsection (d) incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant; as the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding; with probable cause to believe that the property is directly or indirectly dangerous to health or safety; or with probable cause to believe that the property was used or is intended to be used in violation of Chapter 2, Controlled Substances, of Title 20. The property is one or more of the following types (check all that apply):

- ☒ Controlled substances grown, manufactured, distributed, dispensed, or acquired in violation of any law of this state;
- ☒ Raw materials, products, and equipment of any kind that are used or intended for use in manufacturing, cultivating, growing, compounding, processing, delivering, importing, or exporting a controlled substance in violation of any law of this state;
- ☐ Monies, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of any law of this state; proceeds traceable to such an exchange; and monies, negotiable instruments, and securities used or intended to be used to facilitate any violation of any law of this state concerning controlled substances;
- ☒ Property used or intended for use as a container for the types of property described above;
- ☒ Conveyances including aircraft, vehicles, or vessels, or agricultural machinery, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of any property described above;
- ☐ Books, records, and research products and materials, including formulas, microfilm, tapes, and data, which are used or intended for use in violation of any law of this state concerning controlled substances;
- ☐ Imitation controlled substances, as defined under the laws of this state;
- ☐ Real property or fixtures used or intended to be used for the manufacture, cultivation, growth, receipt, storage, handling, distribution, or sale of a controlled substance in violation of any law of this state; and/or
- ☐ Property of any type whatsoever constituting, or derived from, any proceeds obtained directly, or indirectly, from any violation of any law of this state concerning controlled substances.

This property is evidence of a crime and subject to forfeiture pursuant to § 20-2-93, Ala. Code, 1975. Within 14 days of obtaining the Seizure Order, I will present it, along with an application for forfeiture, which shall include an inventory, to the _____ County District Attorney's Office, which may file a complaint for a forfeiture action regarding the property in the Civil Division of the Circuit Court, in accordance with law.

The Applicant states that this request is based upon the facts stated in the affidavit(s) attached hereto.

Date _____ Applicant Signature: _____
 Name (Print): _____

ALABAMA UNIFIED JUDICIAL SYSTEM FORM CR-1.1-a REV. 8/26	AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEIZURE ORDER § 20-2-93, Ala. Code 1975	CASE NUMBER:
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In the _____ Court of _____ County, Alabama
(Circuit or District) (Name of County)

THE STATE OF ALABAMA v. _____
(Defendant)

I, the undersigned, after being duly sworn to tell the truth and in support of the Application for Seizure Order, hereby depose and say as follows:

Date _____ Applicant _____

Sworn to and subscribed to me this the _____ day of _____ 20____.

☐ District Judge or ☐ Circuit Judge Signature

ALABAMA UNIFIED JUDICIAL SYSTEM	SEIZURE ORDER	CASE NUMBER:
FORM CR-1.1-b REV. 8/26	§ 20-2-93, Ala. Code 1975	

In the _____ Court of _____ County, Alabama
 (Circuit or District) (Name of County)

THE STATE OF ALABAMA v. _____
 (Defendant)

TO: ANY LAW ENFORCEMENT OFFICER WITHIN THE STATE OF ALABAMA

An affidavit was made by _____, who has reason to believe that certain property in the possession of _____ in _____ County, Alabama, was seized pursuant to § 20-2-93, Ala. Code 1975, namely,

☐ LIST PROPERTY _____

OR

☐ See attached RETURN AND INVENTORY

The undersigned is satisfied that the affidavit and any recorded testimony establish probable cause to believe that the property so described is subject to seizure and/or forfeiture to the State of Alabama, and that grounds exist for the issuance of this Seizure Order.

The seizing agency is hereby directed to file this order (including all supporting documentation), in accordance with § 20-2-93(e)(2)a, Ala. Code 1975. The Circuit Clerk's office shall create a circuit civil case number which shall be the case number for any future filings and orders related to this matter.

The **applicant** is hereby directed, in accordance with § 20-2-93(e)(1)b, Ala. Code 1975, to submit an application for forfeiture and this Order (along with all supporting documents including an inventory) to the District Attorney's Office of this Judicial Circuit for review and consideration **within 14 days after obtaining this Order**.

Upon a finding of probable cause by the District Attorney that this seizure is valid, the District Attorney may file a forfeiture action **within 42 days from the date of the seizure of the property** (or longer time upon motion and order of this court for good cause shown) pursuant to § 20-2-93(f) and (g), Ala. Code 1975.

After 90 days from the date of this Order, if no forfeiture action has been filed and the undersigned judge dismisses the case due to inaction, the property shall be made available by the seizing agency for return to the owner, upon documented proof of ownership, **within 14 days after the dismissal, EXCEPT:** (1) upon motion by the District Attorney pursuant to § 20-2-93(e)(4), Ala. Code 1975, to retain the items as evidence in the underlying investigation or case, OR (2) if the property is contraband in which case it shall be destroyed at the conclusion of the criminal case § 20-2-93(e)(3), Ala. Code 1975.

☐ Upon request of the applicant, pursuant to § 20-2-93(e)(2)b, Ala. Code, 1975, this filing, the case file and all contents thereof, shall be sealed by the Clerk of Court, to protect the confidentiality of any ongoing investigation(s) or witness(es).

ISSUED TO: _____ of the _____ agency or department, at _____ o'clock, ____ .m., this _____ day of _____, 20____.

☐ District Judge or ☐ Circuit Judge's Signature

ALABAMA UNIFIED JUDICIAL SYSTEM	SEIZURE ORDER RETURN, INVENTORY AND SERVICE	CASE NUMBER:
FORM CR-1.1-C REV. 8/26	§ 20-2-93, Ala. Code 1975	

In the _____ Court of _____ County, Alabama
(Circuit or District) (Name of County)

THE STATE OF ALABAMA v. _____
(Defendant)

NOTICE TO:

_____	_____
NAME	NAME
_____	_____
NAME	NAME

I certify:

☐ that I executed a search warrant issued under Rule 3.9, Ala. R. Crim. P., upon the above-named person(s) and/or a place/thing owned, held, and/or possessed by the above-named person(s) at ____ o'clock, ____ m., this ____ day of _____, 20____;

OR

☐ that I seized property from the above-named person(s) pursuant to § 20-2-93(d), Ala. Code 1975, at ____ o'clock, ____ m., this ____ day of _____, 20____ and:

☐ Did not find or seize any property located thereon; OR ☐ Found and seized the following described property:

1. _____
2. _____
3. _____

☐ See attached INVENTORY SUPPLEMENT

Officer's Signature (Include Rank or Title)

Seizing Agency

NOTICE OF SEIZURE

A copy of this Inventory and Inventory Supplement(s), if applicable, was delivered In accordance with § 20-2-93(h), Ala. Code 1975. Pursuant to § 20-2-93(g), Ala. Code 1975, the district attorney has 42 days, or a greater time upon a showing of good cause to the court, to file a civil complaint seeking the forfeiture of the property seized. Should the district attorney elect to file such an action, you will be served with a copy of such complaint.

RETURN ON SERVICE

I certify that I personally delivered a copy of this Inventory and Inventory Supplement(s), if applicable, to the following person(s), and/or left a copy in accordance with Rule 3.11(a), Ala. R. Crim. P, to wit:

[Name] _____, at

[Address] _____ in

_____ County, Alabama on this ____ day of _____, 20____.

Officer's Signature (Include Rank or Title)

Seizing Agency

ALABAMA UNIFIED JUDICIAL SYSTEM	SEIZURE ORDER RETURN, INVENTORY SUPPLEMENT	CASE NUMBER:
FORM CR-1.1-d REV. 8/26	§ 20-2-93, Ala. Code 1975	

In the _____ Court of _____ County, Alabama
(Circuit or District) (Name of County)

THE STATE OF ALABAMA v. _____
(Defendant)

The additional property was found and seized (continued from Seizure Order Return, Inventory and Service):

- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____

Officer's Signature (Include Rank or Title) Seizing Agency