

# DEPOSIT ACCOUNT FRAUD

The Magistrate Court handles the issuance of warrants and citations for the offense of deposit account fraud (also known as bad checks). The proper venue for prosecution of the offense of deposit account fraud is the county in which the check was delivered. Misdemeanor DAF warrants are handled in Magistrate Court in the County where the financial instrument was delivered; Felony DAF Warrants (transactions over \$1,500.00) are bound over to Superior Court for prosecution.

## [Applying for a Warrant or Citation for Deposit Account Fraud:](#)

An applicant must apply for the warrant or citation in person in the office of the Clerk of Magistrate Court.

The applicant should bring:

- A copy of the certified letter required by statute.
- A copy of the certified mail tracking delivery status from the USPO
- Filing fee cost per citation/warrant: \$20 (check, debit or credit card only – NO CASH)

## **Identification of the Defendant:**

Since the application may result in the issuance of an arrest warrant or citation, proper identification of the defendant is required. In order for an application to be processed, the applicant **must** provide at least one of the following identifiers for the defendant:

- date of birth
- social security number
- driver's license number.

**Minimum Fines & Fees:**

Checks in the range amount of: \$0.01 – \$25.00 – \$75.00, plus amount of check, plus \$50.00

Checks in the range amount of: \$25.01 – \$100.00 – \$150.00, plus amount of check, plus \$50.00

Checks in the range amount of \$100.01 – \$1,499.00 – \$225.00, plus amount of check, plus \$50.00

Checks over \$1,499.01 – Felony Warrant, plus fine to be determined, plus amount of check, plus \$50.00, plus other costs as may be sought by the Prosecution.

**Further Information on Deposit Account Fraud**

Please refer to O.C.G.A. Section 16-9-20