

NOTICE TO APPEAR, FORM LE-33**9461****(February 2002)**

The LE-33 form will be used whenever a violator is arrested for a misdemeanor or infraction and is released from custody for a later court appearance. Under all circumstances, such release from custody must conform to the basic legal rules as set forth in PRC 4157 and PC 853.6. Whenever an LE-33 form is used, the following conditions must prevail:

- The use must be incidental to a lawful arrest.
- The department employee who releases a person from an arrest by using a LE-33 must be designated by the Director (PRC 4156) as a peace officer (PC 830.2, PC 830.3) or public officer (PC 830.7).
- The crime alleged must be a misdemeanor or infraction and not a felony.
- The identity of the person to be released must be verified by the officer.

JUVENILE CITATION**9461.1****(February 2002)**

The LE-33 may be used to release a juvenile from temporary custody. Such a release from custody must conform to provision 626 of the Welfare and Institutions Code.

ABSENTEE CITATION**9461.2****(February 2002)**

The LE 33 may be used for enforcing fire laws found in the California Vehicle Code (CVC) relating to parking violations when the driver is not present. They are to be cited into traffic court--not criminal court. Refer to your court schedule for proper days and times.

The LE 33 may also be used for other absentee violations as locally approved.

[\(see next section\)](#)

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[\(see Forms or Forms Samples\)](#)