



**JUDGMENTS
&
ORDERS**

JUDGMENTS & ORDERS

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CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

JUDGMENT

On this the ____ day of _____, 20____, the Defendant in the above numbered and entitled cause appeared (by attorney) (in person) (by mail) and entered a plea of (guilty) (no contest) (not guilty) and waived a jury trial; and the Court, having heard the evidence and arguments, finds the Defendant **guilty** of the offense of _____.

The Defendant being found **guilty** and assessed a fine of \$ _____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

- The Defendant having entered a plea in open court as provided by Article 27.14(a) or 27.16(a), C.C.P., and the Judge having inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the Judge determines that the Defendant:
 - DOES** have sufficient resources or income to immediately pay all or part of the fine and costs.
 - DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.
- Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (*check one or a combination of the following*):
 - The Defendant pay the fine and costs by _____, 20_____.
 - The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
 - The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
 - (All) (Part) of the fine and costs are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
- The Defendant is **hereby Ordered** to pay the fine and costs:
 - immediately.
 - by _____, 20_____.
 - at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- (*If sentence in addition to payment of fine is authorized*) It is further **Ordered** that the Defendant shall _____ no later than _____, 20_____.
- The Defendant is hereby **Ordered** to pay restitution in the amount of \$ _____ to the victim in this case. Said restitution to be paid by _____.
- The Defendant was confined in jail or prison while awaiting trial or serving a sentence for another offense and the confinement occurred after the commission of the offense now before the court. The Defendant is granted credit in the following amount (not less than \$150 per day of confinement): \$ _____.

JUDGMENT: JURY WAIVED – GUILTY (2 OF 2) (Arts. 45A.251-45A.252, C.C.P.)

It is further Ordered and Adjudged that in the event the Defendant defaults in the discharge of this judgment and is placed in jail, pursuant to Article 45A.262 of the Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (*not less than 8 or more than 24*) to earn
_____ (*minimum dollar amount \$150*) to satisfy the fine and costs.

(municipal court seal)

Judge, Municipal Court Date

City of _____

_____ County, Texas

Editor’s Note: The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45A.253(d), C.C.P.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

JUDGMENT

On this the ____ day of _____, 20____, the Defendant in the above numbered and entitled cause appeared in person, (with a parent or guardian) (presence of parent or guardian waived after diligence used to obtain presence), (was represented by an attorney) (representation by an attorney waived), and entered a plea of (guilty) (no contest) (not guilty) and waived a jury trial; and the Court, having heard the evidence and arguments, finds the Defendant **guilty** of the offense of _____.

The Defendant being found **guilty** and assessed a fine of \$ _____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

It is **hereby Ordered** that (*check one or a combination of the following*):

- The Defendant pay the fine and costs by _____, 20_____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service or attending tutoring. See attached Tutoring or Community Service Addendum - Juveniles incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
- The Defendant attend _____ See attached Optional Orders Applicable to Juveniles incorporated as part of this judgment.

Judge, Municipal Court Date

(*municipal court seal*)

City of _____

_____ County, Texas

Editor’s Note: The judge may order any of the general optional orders applicable to juveniles under Article 45A.457 of the Code of Criminal Procedure but also must allow the child to elect at the time of conviction to discharge the fine/costs through community service or tutoring under Article 45A.460 or pay the fine/costs as described by Article 45A.251(b). Attach to this Order the applicable Election by Child and/or Optional Orders Applicable to Juveniles form or Community Service/Tutoring Addendums.

The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45A.253(d), C.C.P.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

JUDGMENT

On this the ____ day of _____, 20____, the Defendant in the above numbered and entitled cause appeared in person and entered a plea of not guilty and demanded a jury trial; and the jury, having heard the evidence and arguments, found the Defendant:

- Guilty of the offense of _____ and **the jury** assessed a fine of \$ _____.
- Guilty of the offense of _____ and **the Court** assesses a fine of \$ _____.

It is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

- The Defendant having entered a plea in open court as provided by Article 27.16(a), C.C.P., and the Judge having inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the Judge determines that the Defendant:

- DOES** have sufficient resources or income to immediately pay all or part of the fine and costs.
- DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.

- Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (*check one or a combination of the following*):

- The Defendant pay the fine and costs by _____, 20_____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.

- The Defendant is **hereby Ordered** to pay the fine and costs:

- immediately.
- by _____, 20_____.
- at designated intervals. See the attached payment order incorporated as part of this judgment.

- (*If sentence in addition to payment of fine is authorized*) It is further **Ordered** that the Defendant shall _____ no later than _____, 20_____.

JUDGMENT: AFTER JURY VERDICT (2 OF 2) (Arts. 45A.251-45A.252, C.C.P.)

- The Defendant is hereby **Ordered** to pay restitution in the amount of \$ _____ to the victim in this case. Said restitution to be paid by _____.

- The Defendant was confined in jail or prison while serving a sentence for another offense and the confinement occurred after the commission of the offense now before the court. The Defendant is granted credit in the following amount (not less than \$150 per day of confinement): \$ _____.

It is further Ordered and Adjudged that in the event the Defendant defaults in the discharge of this judgment and is placed in jail, pursuant to Article 45A.262 of the Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (*not less than 8 or more than 24*) to earn
_____ (*minimum dollar amount \$150*) to satisfy the fine and costs.

(municipal court seal)

Judge, Municipal Court Date
City of _____

County, Texas

Editor's Note: The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45A.253(d), C.C.P.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

JUDGMENT

On this the ____ day of _____, 20 __, the Defendant in the above numbered and entitled cause appeared in person, (with a parent or guardian) (presence of parent or guardian waived after diligence used to obtain presence), (was represented by an attorney) (representation by an attorney waived), and entered a plea of not guilty and demanded a jury trial; and the jury, having heard the evidence and arguments, found the Defendant:

Guilty of the offense of _____ and **the jury** assessed a fine of \$ _____.

Guilty of the offense of _____ and **the Court** assesses a fine of \$ _____.

It is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

It is **hereby Ordered** that (*check one or a combination of the following*):

- The Defendant pay the fine and costs by _____, 20_____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service or attending tutoring. See attached Tutoring or Community Service Addendum - Juveniles incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
- The Defendant attend _____ See attached Optional Orders Applicable to Juveniles incorporated as part of this judgment.

(municipal court seal)

Judge, Municipal Court Date

City of

County, Texas

Editor's Note: The judge may order any of the general optional orders applicable to juveniles under Article 45A.457 of the Code of Criminal Procedure but also must allow the child to elect at the time of conviction to discharge the fine/costs through community service or tutoring under Article 45A.460 or pay the fine/costs as described by Article 45A.251(b). Attach to this Order the applicable Election by Child and/or Optional Orders Applicable to Juveniles form or Community Service/Tutoring Addendums.

The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45A.253(d), C.C.P.

JUDGMENT: FORFEITURE OF CASH BOND IN SATISFACTION OF FINE (Art. 45A.256, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

VS.

§

§

§

IN THE MUNICIPAL COURT

CITY OF _____

_____ COUNTY, TEXAS

JUDGMENT

This Court finds that on the ____ day of _____, 20 ____, the Defendant, _____, posted a cash bond with this Court and entered a written and signed plea of nolo contendere and a waiver of jury trial conditional on (his)(her) appearance according to the terms of the Defendant's release. Further, this Court finds, that on this the ____ day of _____, 20 ____, Defendant failed to appear as ordered in the terms of (his)(her) release.

Thereby, the Court finds the Defendant **guilty** of the offense of _____ and conviction is hereby entered against the Defendant. According to the terms of the Defendant's release, the cash bond posted with this Court is hereby forfeited to satisfy the fine and costs assessed against the Defendant.

Further, **it is Ordered**, that a copy of this Judgment be sent to the Defendant immediately by regular mail to the Defendant's last known address.

Defendant:

You are hereby notified that on the ____ day of _____, 20 ____, a judgment of conviction and forfeiture of bond has been entered against you in the above styled cause for the offense of _____. The forfeiture of the cash bond posted in this case satisfies the fine and costs in this case.

You have the right to a new trial in this case. You must make your motion for new trial not later than the 10th day after the date the judgment and forfeiture were entered against you. If you timely make this motion for new trial, this Court shall grant your motion and you will be permitted to withdraw your previously entered plea of nolo contendere and waiver of jury trial.

(municipal court seal)

Judge, Municipal Court

Date

City of _____

County, Texas

JUDGMENT: NOT GUILTY (ADULT AND JUVENILE)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

JUDGMENT OF ACQUITTAL

On this the ____ day of _____, 20____, the Defendant in the above numbered and entitled cause appeared (by attorney) (in person) and entered a plea of not guilty and (waived)(demanded) a jury trial; and the (Court)(jury), having heard the evidence and arguments, finds the Defendant **not guilty** of the offense of _____.

It is therefore Ordered and Adjudged, that the Defendant, being found **not guilty**, is immediately discharged from all further liability for the offense alleged in this cause and the Defendant may go hence without payment of costs.

(municipal court seal)

Judge, Municipal Court

Date

City of _____

County, Texas

ORDER TO REFUND CASH BOND (Art. 17.02, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

ORDER

This Court finds that _____, Defendant in the above styled case, has complied with the conditions of the bond posted to secure the Defendant's appearance in this cause. **It is hereby Ordered** that the cash bond posted in the above styled case be refunded to any person in the name of whom a receipt was issued, in the amount reflected on the face of the receipt, including the Defendant if a receipt was issued to the Defendant, or to the Defendant, if no other person is able to produce a receipt for the funds.

(municipal court seal)

Judge, Municipal Court Date
City of _____,
_____ County, Texas

DISMISSAL BY THE COURT: COMPLIANCE DISMISSAL (1 OF 2)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

ORDER OF DISMISSAL

On this the _____ day of _____, 20____, the Defendant appeared in the above numbered and styled cause and presented evidence of remedying a defect. Therefore, the above numbered and styled cause is dismissed on the Defendant's motion for the reason:

- Defendant presented evidence of remedied expired driver's license within 20 working days or before the Defendant's first court appearance, whichever is later. (Sec. 521.026, T.C.)
 - It is also ordered that the Defendant pay a \$_____ reimbursement fee/fine/fee* (*up to \$20*).

- Defendant presented evidence of remedied driver's license by changing the address or name on his or her driver's license not later than 20 working days after the date of the offense. (Sec. 521.054, T.C.)
 - The Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$20*).
 - The fine is waived in the interest of justice.

- Defendant presented evidence that the defendant's driver's license endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of the offense or was in error; DPS removed the restriction or endorsement before the Defendant's first court appearance; and the Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 521.221, T.C.)

- Defendant presented evidence of remedied expired license plate or registration within 20 working days or before the Defendant's first court appearance, whichever is later, and proof of payment of the delinquent registration fee. (Sec. 502.407, T.C.)
 - It is also ordered that the Defendant pay a \$_____ reimbursement fee/fine/fee* (*up to \$20*).

- Defendant presented evidence of a registration insignia issued to the motor vehicle that was attached to the vehicle establishing that the vehicle was registered for the period during which the offense was committed, and the Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 502.473, T.C.)

- Defendant presented evidence of remedied registration insignia issued and attached to the motor vehicle establishing that the vehicle has been registered before the Defendant's first court appearance, and the Defendant paid a \$_____ reimbursement fee/fee* (*up to \$10*). (Sec. 502.473, T.C.)

- Defendant presented evidence of remedied registration insignia that is for the correct vehicle, issued by the correct department, and is in effect for the current period, before the Defendant's first court appearance, and the Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 502.475, T.C.)

- Defendant presented evidence of remedied license plates (by properly displaying the required plates on the vehicle) before the Defendant's first court appearance, and the Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 504.943, T.C.)

- Defendant presented evidence of remedied license plates that are for the current period and not obscured or impaired in readability before the Defendant's first court appearance, the Defendant showed that the vehicle was issued a plate by the department that was attached to the vehicle, establishing that the vehicle was registered for the period during which the offense was committed, and the Defendant paid a \$_____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 504.945, T.C.)

DISMISSAL BY THE COURT: COMPLIANCE DISMISSAL (2 OF 2)

- Defendant presented evidence of remedied defective equipment before the Defendant's first court appearance, the offense did not involve a commercial motor vehicle, and the Defendant paid a \$ _____ reimbursement fee/fine/fee* (*up to \$10*). (Sec. 547.004, T.C.)
- Defendant presented evidence of remedied expired disabled parking placard within 20 working days or before the Defendant's first court appearance, whichever is later. The disabled parking placard was not expired for more than 60 days, and the Defendant paid \$ _____ reimbursement fee/fine/fee* (*up to \$20*). (Sec. 681.013, T.C.)
- Defendant presented evidence of a driver's license issued to the defendant, appropriate for the type of vehicle operated, that was valid at the time of the offense. (Sec. 521.025, T.C.)
 - It is also ordered that the Defendant pay a \$ _____ fee (*up to \$10*).
- Defendant presented satisfactory evidence to the Court of valid proof of financial responsibility under Section 601.053, T.C. that was valid and in effect at the time of the offense. (Sec. 601.193, T.C.)
- [*For Offenses Committed before March 1, 2015*] Defendant presented evidence of remedied expired inspection within 20 working days or before the Defendant's first court appearance, whichever is later. The inspection certificate was not expired for more than 60 days, and the Defendant paid a \$ _____ fee (*up to \$20*). (Sec. 548.605, T.C.)
- Defendant presented evidence of a passing vehicle inspection report (1) within 20 working days after the date of citation (*operating a vehicle without complying with inspection requirements as certified under Section 548.256, T.C.*) or before the Defendant's first court appearance date, whichever is later and (2) within 40 working days after the applicable deadline provided by Chapter 548, T.C., Chapter 382, H.S.C., or the Texas Department of Motor Vehicle's administrative rules regarding inspection requirements. (Sec. 548.605, T.C.)
 - It is also ordered that the Defendant pay a \$ _____ reimbursement fee/fine/fee (*up to \$20*).
- [*For Offenses Committed on or after January 1, 2016*] Defendant presented evidence of a [*commercial learner's permit or driver's license*] that was issued to the defendant and was valid when the offense was committed. (Sec. 522.011, T.C.)
 - It is also ordered that the Defendant pay a \$ _____ fee (*up to \$10*).

(municipal court seal)

Judge, Municipal Court Date

City of _____,

County, Texas

Editor's Note: With the few exceptions referenced in this form and under the provisions detailed in the Deferred Proceedings, local trial courts generally do not have the authority to unilaterally dismiss charges without a prosecutor's motion.

*In 2019, Senate Bill 346 renamed 10 compliance dismissal fees as fines. In 2021, Senate Bill 1923 renamed many of the fines as reimbursement fees. Generally, if an offense was committed prior to January 1, 2020, the appropriate name for the money paid as part of a compliance dismissal is a fee; if the offense was committed on or after January 1, 2020 but before September 1, 2021, it is a fine; and if committed after September 1, 2021, it is a reimbursement fee.

JUDGMENT: DRIVING OR OPERATING WATERCRAFT UNDER THE INFLUENCE OF ALCOHOL BY MINOR – GUILTY (Sec. 106.041, A.B.C.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

JUDGMENT

On this the ____ day of _____, 20____, the Defendant in the above numbered and entitled cause appeared in person and entered a plea of (guilty) (no contest) (not guilty) and (waived) (did not waive) a jury trial; and the (Court)(jury), having heard the evidence and arguments, finds the Defendant guilty of the offense of Driving or Operating Watercraft Under the Influence of Alcohol by a Minor, Section 106.041, Alcoholic Beverage Code.

The Defendant being found guilty and assessed a fine of \$ _____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

The Defendant having entered a plea in open court as provided by Article 27.14(a) or 27.16(a), C.C.P., and the Judge having inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the Judge determines that the Defendant:

- DOES** have sufficient resources or income to immediately pay all or part of the fine and costs.
- DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.

Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (check one or a combination of the following):

- The Defendant pay the fine and costs by _____, 20_____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.

The Defendant is hereby **Ordered** to pay the fine and costs:

- immediately.
- by _____, 20_____.
- at designated intervals. See the attached payment order incorporated as part of this judgment.

It is further Ordered that the Defendant present to the Court evidence of completion of [an alcohol awareness program or a substance misuse education program,] no later than _____, 20____. (Enter a date that is within 90 days of the date of final conviction. Sec. 106.115(c), A.B.C.) (course required on first conviction of offenses listed in Sec. 106.115(a), A.B.C.)

The Court further finds that the Defendant is younger than 18 years of age and that _____ is the (parent)(guardian) of the Defendant. (Optional) **It is therefore Ordered** that _____ attend the above-mentioned alcohol awareness or substance misuse education program with the Defendant and present to the Court evidence of completion of the course no later than _____, 20____.

The Defendant is **further Ordered** to return to this Court no later than _____, 20____ with evidence that the Defendant has completed _____ hours of alcohol-related community service at _____.

If the Defendant fails to comply with the orders of this judgment issued, the Court shall order the Department of Public Safety to suspend or deny issuance of any driver's license or permit issued to the Defendant.

Judge, Municipal Court Date

(municipal court seal)

City of _____

_____ County, Texas

The Court finds that the Defendant completed the alcohol awareness/substance misuse education program within 90 days as ordered by this Court. It is therefore **Ordered** that the fine ordered to be paid on _____, 20____ is reduced to \$ _____, which is not less than half of the initial fine assessed.

Judge, Municipal Court Date

(municipal court seal)

City of _____

_____ County, Texas

CAUSE NUMBER: _____

STATE OF TEXAS
VS.

§
§
§

IN THE MUNICIPAL COURT
CITY OF _____
_____ COUNTY, TEXAS

ORDER

On this the ___ day of _____, 20___, the Defendant in the above numbered and entitled cause appeared in person, entered a plea of (guilty)(no contest)(not guilty), and (waived)(did not waive) a jury trial; and the (Court)(jury), having heard the evidence and arguments, finds the Defendant guilty of the offense of _____.

The Defendant being found guilty and assessed a fine of \$_____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$_____, plus any and all costs required to be paid.

- It is further Ordered** that the Defendant pay all costs; however, the execution of this sentence (fine) is suspended and the Defendant is **Ordered** to present to this Court evidence of completion of an e-cigarette and tobacco awareness program approved by the Commissioner of Health no later than _____, 20___. (*completion date*)
- The Court further finds that _____ is the (parent)(guardian) of the Defendant. (*Optional*) **It is therefore Ordered** that _____ attend the above-mentioned e-cigarette and tobacco awareness program with the Defendant and present to the Court evidence of completion of the program no later than _____, 20___. (*enter same completion date as for Defendant.*)
- The Court finds that access to an approved e-cigarette and tobacco awareness program is not readily available. **It is therefore Ordered** that the Defendant pay the court costs; however, execution of this sentence is suspended and the Defendant is **Ordered** to return to this Court no later than _____, 20___ with evidence that the Defendant has completed _____ hours of e-cigarette and tobacco-related community service at _____.

(municipal court seal)

Judge, Municipal Court Date
City of _____
_____ County, Texas

FINAL JUDGMENT

- The Defendant completed the (e-cigarette and tobacco awareness program) (e-cigarette and tobacco-related community service), is immediately discharged from all further liability for the above offense, including payment of the fine.
- (*If the Defendant is 17 or older*) The Defendant having entered a plea in open court as provided by Article 27.14(a) or 27.16(a) and the judge having inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the judge determines that the Defendant:
 - DOES** have sufficient resources or income to immediately pay all or part of the fine and costs.
 - DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.

JUDGMENT: POSSESSION, PURCHASE, CONSUMPTION, OR RECEIPT OF CIGARETTES, E-CIGARETTES, OR TOBACCO PRODUCTS BY MINOR – GUILTY (Secs. 161.252 and 161.253, H.S.C.) (2 of 2)

- The Defendant failed to complete (an e-cigarette and tobacco awareness program) (e-cigarette and tobacco-related community service) as ordered by this Court. It is therefore **Ordered and Adjudged** by the Court that the Defendant pay the fine:
- immediately.
 - by _____.
 - at designated intervals. See the attached payment order incorporated as part of this judgment.
 - as otherwise specified below.
- (*Case filed as a subsequent offense*) The Defendant completed the (e-cigarette and tobacco awareness program) (e-cigarette and tobacco-related community service) as ordered by this Court. It is therefore **Ordered and Adjudged** by the Court the Defendant pay (the fine initially assessed) (the amount of \$ _____, which is not less than one-half of the fine assessed):
- immediately.
 - by _____.
 - at designated intervals. See the attached payment order incorporated as part of this judgment.
 - as otherwise specified below.
- Having determined that the Defendant is 17 or older and **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (*check one or a combination of the following*):
- The Defendant pay the fine and costs by _____, 20_____.
 - The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
 - The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
 - (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
- Having determined that the Defendant is under 17 years old, it is **hereby Ordered** that (*check one or a combination of the following*):
- The Defendant pay the fine and costs by _____, 20_____.
 - The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
 - The Defendant discharge the fine and costs by performing community service or attending tutoring. See attached Tutoring or Community Service Order incorporated as part of this judgment.
 - (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.
 - The Defendant attend _____
_____ See attached Optional Orders Applicable to Juveniles incorporated as part of this judgment.

(municipal court seal)

Judge, Municipal Court Date
City of _____
_____ County, Texas

Editor’s Note: If the Defendant is 17 or older, attach a Judgment/Jail Credit Addendum.

For the purposes of Subtitle H of the H.S.C. (Distribution of Cigarettes, E-Cigarettes, or Tobacco Products), “minor” means a person under 21 years of age.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

JUDGMENT

On this the ___ day of _____, 20___, the Defendant in the above numbered and entitled cause appeared in person, entered a plea of (guilty)(no contest)(not guilty), and (waived)(did not waive) a jury trial; and the (Court)(jury), having heard the evidence and arguments, finds the Defendant guilty of the offense of _____.

The Defendant being found guilty and assessed a fine of \$ _____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

Having determined that the Defendant entered a plea in open court as provided by Article 27.14(a) or 27.16(a) and inquired whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs, the judge determines that the Defendant DOES DOES NOT have sufficient resources or income to immediately pay all or part of the fine and costs.

Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (check one or a combination of the following):

- The Defendant pay the fine and costs by _____, 20_____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.

The Defendant is **hereby Ordered** to pay the fine and costs:

- immediately.
- by _____, 20_____.
- at designated intervals. See the attached payment order incorporated as part of this judgment.

It is further Ordered that the Defendant present to the Court evidence of completion of [an alcohol awareness program or a substance misuse education program] no later than _____, 20___. (Enter a date that is within 90 days of the date of final conviction. Sec. 106.115(c), A.B.C.)

The Court further finds that the Defendant is younger than 18 years of age and that _____ is the (parent)(guardian) of the Defendant. (Optional) **It is therefore Ordered** that _____ attend the above-mentioned alcohol awareness or substance misuse education program with the Defendant and present to the Court evidence of completion of the course no later than _____, 20__.

The Defendant is **further Ordered** to return to this Court no later than _____, 20___ with evidence that the Defendant has completed _____ hours of alcohol- or drug-related (as applicable) community service at _____.

The Department of Public Safety is hereby **Ordered** to: (select one)

- suspend the Defendant’s driver’s license for _____ days, effective the 11th day after the date of this judgment.
- deny the issuance of a driver’s license or permit to the Defendant for _____ days effective the 11th day after the date of this judgment.

(municipal court seal)

 Judge, Municipal Court Date
 City of _____
 _____ County, Texas

JUDGMENT: PURCHASE OF ALCOHOL BY MINOR, ATTEMPT TO PURCHASE ALCOHOL BY MINOR, CONSUMPTION BY MINOR, MINOR IN POSSESSION OF ALCOHOL, MISREPRESENTATION OF AGE BY MINOR - GUILTY (Secs. 106.071 and 106.115, A.B.C.) (2 of 2)

The Court finds that the Defendant completed the *alcohol awareness or substance misuse education program* within 90 days as ordered by this Court. It is therefore **Ordered** that the fine ordered to be paid on _____, 20____ is reduced to \$_____, which is not less than half of the initial fine assessed.

(municipal court seal)

Judge, Municipal Court Date
City of _____
_____ County, Texas

JUDGMENT: ELECTRONIC TRANSMISSION OF CERTAIN VISUAL MATERIAL DEPICTING MINOR BY 17-YEAR-OLD DEFENDANT - GUILTY (Art. 45A.458, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

JUDGMENT

On this the ____ day of _____, 20 __, the Defendant in the above numbered and entitled cause appeared in person, (with a parent or guardian) (presence of parent or guardian waived after diligence used to obtain presence), and entered a plea of (guilty)(no contest)(not guilty) and (waived)(did not waive) a jury trial; and the (Court)(jury), having heard the evidence and arguments, finds the Defendant guilty of the offense of _____.

The Defendant being found guilty and assessed a fine of \$ _____, it is therefore **Ordered and Adjudged** by the Court that the State of Texas, for the use and benefit of the City of _____, Texas, does have and recover from the Defendant the fine in the amount of \$ _____, plus any and all costs required to be paid, which as of this date are \$ _____.

Having made inquiry, the judge determines that the Defendant **DOES** **DOES NOT** have sufficient resources or income to immediately pay all or part of the fine and costs.

Having determined that the Defendant **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (*check one or a combination of the following*):

- The Defendant pay the fine and costs by _____, 20 ____.
- The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment.
- The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment.
- (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment.

The Defendant is **hereby Ordered** to pay the fine and costs:

- immediately.
- by _____, 20 ____.
- at designated intervals. See the attached payment order incorporated as part of this judgment.

It is further Ordered that the Defendant attend and successfully complete an educational program described by Section 37.218, Education Code, or an equivalent educational program, designed to address the dangers of students sharing visual material depicting minors engaged in sexual conduct.

The above ordered program shall be completed by _____, 20 ____.

The Court further finds that _____ is the (parent)(guardian) of the Defendant. (*Optional*) **It is therefore Ordered** that _____ attend the above-mentioned alcohol awareness course with the Defendant and present to the Court evidence of completion of the course no later than _____, 20 ____.

It is further Ordered and Adjudged that in the event the Defendant defaults in the discharge of this judgment and is placed in jail, pursuant to Article 45A.262 of the Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (*not less than 8 or more than 24*) to earn
_____ (*minimum dollar amount \$150*) to satisfy the fine and costs.

(municipal court seal)

Judge, Municipal Court

Date

City of _____

_____ County, Texas

ORDER OF DRIVER'S LICENSE SUSPENSION FOR FAILURE TO COMPLETE ALCOHOL, DRUG, OR E-CIGARETTE AND TOBACCO AWARENESS PROGRAM AND/OR COMMUNITY SERVICE (Sec. 106.115(d)(1), A.B.C., and Sec. 161.254, H.S.C.)

CAUSE NUMBER: _____

STATE OF TEXAS

VS.

§

§

§

IN THE MUNICIPAL COURT

CITY OF _____

_____ COUNTY, TEXAS

ORDER

On the _____ of _____, 20____, Defendant failed to present to this Court evidence of:

- attendance at an alcohol awareness program;
- attendance at a substance misuse education program;
- completion of the alcohol-related community service;
- completion of the drug-related community service;
- completion of an e-cigarette and tobacco awareness program; and/or
- completion of the e-cigarette and tobacco-related community service;

as ordered in the judgment of the above noted Cause Number. **It is therefore Ordered** that the Department of Public Safety shall (suspend) (deny issuance of) the Defendant's driver's license for _____ days. The suspension is ordered to begin on _____, 20____, and end on _____, 20____.

Judge, Municipal Court

Date

(municipal court seal)

City of _____

_____ County, Texas

OPTIONAL ORDERS APPLICABLE TO JUVENILES (Art. 45A.457, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

ORDER

On this date appeared _____, Defendant in the above-styled and number cause, a child, who, having been found guilty of a fine-only offense, this Court having jurisdiction **ORDERS** the following provisions as indicated:

- The Defendant shall no later than _____, 20__:
- Attend a rehabilitation program;
- Attend counseling;
- Attend self-esteem and leadership class;
- Attend work and job skills training;
- Attend job interviewing and work preparation training;
- Attend self-improvement training;
- Attend parenting class;
- Attend manners training;
- Attend violence avoidance training;
- Get tutoring;
- Attend parental responsibility training;
- Attend sensitivity training;
- Perform community service at _____ for _____ hours;
- Participate in an advocacy or mentoring program;
- Other: _____.

The above ordered program(s) shall be completed by _____, 20__.

- The Court further finds that the Defendant is at risk and orders the parent to attend:
 - Crisis family intervention;
 - Emergency short-term residential care for children 10 years of age or older;
 - Family counseling;
 - Parenting skills training;
 - Youth coping skills training;
 - Advocacy training;
 - Mentoring;
 - A parenting class or parental responsibility program;

The above ordered program(s) shall be completed by _____, 20__.

- The person required to attend this program submit proof of attendance to the Court.
- The parent, managing conservator, or guardian of the child shall pay an amount not greater than \$100 for the costs of the program.
- The parents, managing conservators, or guardians refrain from conduct that may encourage the child to violate a Court order.
- The parents, managing conservators, or guardians attend the child's school classes or functions.
- The Defendant is hereby **Ordered** to pay restitution in the amount of \$ _____ to the victim in this case. Said restitution to be paid by _____.
- The child or the child's parents, managing conservators, or guardians are referred for services under Section 137.152, Human Resources Code. This order applies specifically to the following individuals:
_____.

Dated: _____

(municipal court seal)

 Judge, Municipal Court
 City of _____
 _____ County, Texas

ELECTION BY CHILD DEFENDANT: DISCHARGING THE FINE AND COSTS (art. 45A.253(b), C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

WRITTEN ELECTION

To the Honorable Judge of said Court:

Now comes the Defendant, in the above entitled and numbered cause, and in accordance with Article 45A.253(b), Code of Criminal Procedure, hereby elects to discharge the fine and costs by:

Performing community service

Receiving tutoring

Paying the fine and costs:

immediately.

by _____, 20____.

at designated intervals.

Respectfully submitted,

Defendant

Parent/Guardian/Managing Conservator (if present)

Date

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

ORDER

On the _____ of _____, 20____, Defendant was convicted of the offense of _____ and was assessed a fine and costs totaling \$ _____ as ordered in the judgment of the above styled and numbered cause.

The Court finds that the Defendant is younger than 17 years of age and was assessed a fine and costs for a Class C misdemeanor. Pursuant to Article 45A.459, Code of Criminal Procedure, it is hereby

ORDERED, ADJUDGED, AND DECREED that the Defendant discharge (all of the fine and costs owed) (part of the fine and costs owed) by performing community service as follows:

1. The Defendant shall perform a total of _____ hours (*not to exceed 200 hours*);
2. The Defendant's community service shall be completed no later than _____, 20____;
3. The Defendant shall perform the community service by (attending a work and job skills training program, a preparatory class for the high school equivalency examination administered under Section 7.111 of the Education Code, an alcohol or drug abuse program, a rehabilitation program, a counseling program, including a self-improvement program, a mentoring program, or any similar activity **OR** for a governmental entity, non-profit organization or another organization that provides services to the general public that enhances the social welfare and general well-being of the community, or an educational institution);
4. The Defendant shall submit to the court documentation verifying the Defendant's completion of the community service by _____, 20____;

and the Court having further found that performing more than 16 hours of community service per week (will)(will not) impose an undue hardship on the Defendant, it is further

ORDERED, ADJUDGED, AND DECREED that the Defendant shall perform no more than _____ hours per week of the above-ordered community service. A defendant is considered to have discharged \$ _____ of fines or costs for each eight hours of community service. A defendant may discharge this obligation to perform community service by paying at any time the fine and costs assessed.

Dated: _____

Judge, Municipal Court

City of _____

_____ County, Texas

(municipal court seal)

Editor's Note: A defendant is considered to have discharged not less than \$150 of fines or costs for each eight hours of community service performed under Article 45A.459 of the Code of Criminal Procedure.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

ORDER

On the _____ of _____, 20____, Defendant was convicted of the offense of _____ and was assessed a fine and costs totaling \$ _____ as ordered in the judgment of the above styled and numbered cause.

The Court finds that the Defendant is younger than 17 years of age and was assessed a fine and costs for a Class C misdemeanor occurring in a building or on the grounds of the primary or secondary school at which the defendant was enrolled at the time of the offense. Pursuant to Article 45A.460, Code of Criminal Procedure, it is hereby

ORDERED, ADJUDGED, AND DECREED that the Defendant discharge (all of the fine and costs owed) (part of the fine and costs owed) by (performing community service) (attending a tutoring program that is satisfactory to the Court) as follows:

1. The Defendant shall perform or attend tutoring a total of _____ hours;
2. The Defendant's community service or tutoring shall be completed no later than _____, 20____;
3. The Defendant shall perform the community service by (attending a work and job skills training program, a preparatory class for the high school equivalency examination administered under Section 7.111 of the Education Code, an alcohol or drug abuse program, a rehabilitation program, a counseling program, including a self-improvement program, a mentoring program, or any similar activity **OR** for a governmental entity, non-profit organization or another organization that provides services to the general public that enhances the social welfare and general well-being of the community, or an educational institution);

and the Court having further found that performing more than 16 hours of community service or attending more than 16 hours of tutoring per week (will)(will not) work a hardship on the Defendant, it is further

ORDERED, ADJUDGED, AND DECREED that the Defendant shall perform community service or attend tutoring no more than _____ hours per week. A defendant is considered to have discharged \$ _____ of fines or costs for each eight hours of community service. A defendant may discharge this obligation to perform community service or attend a tutoring program by paying at any time the fine and costs assessed.

Dated: _____

Judge, Municipal Court

City of _____

_____ County, Texas

(municipal court seal)

Editor's Note: The Court may require the Defendant to discharge a fine and costs at not less than \$150 for every eight hours of community service performed or tutoring attended. Art. 45A.460, C.C.P.

JUDGMENT/JAIL CREDIT ADDENDUM (For Persons Age 17 and Older) (Art. 45A.262, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

On the _____ of _____, 20____, the Defendant was convicted of the offense of _____ and was assessed a fine and costs in the amount of \$_____ as ordered in the judgment of the above noted Cause Number. The Defendant was ordered to discharge the fine and costs by _____. In the event the Defendant defaults in the discharge of the judgment as ordered, pursuant to Article 45A.262, Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:

_____ hours (*not less than eight or more than 24*) to earn

_____ (*minimum dollar amount \$150*) to satisfy the fine and costs.

This Addendum shall be attached and incorporated as part of the original judgment.

(municipal court seal)

Judge, Municipal Court

Date

City of _____

_____ County, Texas

ORDER FOR IMPOUNDMENT OF IN-STATE MOTOR VEHICLE (Secs. 601.191 and 601.261, T.C.)

CAUSE NUMBER: _____

STATE OF TEXAS § IN THE MUNICIPAL COURT
VS. § CITY OF _____
_____ § _____ COUNTY, TEXAS

ORDER

TO THE SHERIFF OF _____ COUNTY, TEXAS:

WHEREAS IN THE ABOVE STYLED CAUSE NUMBER, THE COURT FINDS:

- 1. The named Defendant has been found guilty of operating a motor vehicle in violation of Section 601.191, Transportation Code;
2. The conviction in this cause is a second or subsequent conviction;
3. The Defendant was the owner of the vehicle at the time of the offense; and
4. The Defendant was the owner of the vehicle on the date of the second or subsequent conviction.

THE COURT IS REQUIRED TO ORDER:

Pursuant to Section 601.261, Transportation Code, that the Sheriff of _____ County, Texas take into possession and safekeeping the described motor vehicle, to wit:

Make: _____ Model: _____ Color: _____ Year: _____
License Number: _____ State: _____ VIN: _____
Vehicle Operator: _____
Vehicle Owner: _____
Address of Owner: _____

NOTICE TO VEHICLE OWNER:

Texas law provides:

- 1. The duration of impoundment is 180 days.
2. The Sheriff may not release the impounded vehicle until:
a. You apply to the Court for release of the vehicle, provide proof of financial responsibility in compliance with Sections 601.053 and 601.262, Transportation Code, and pay the reimbursement fee for impoundment, which the Court is required to impose against you (\$15 per day); or
b. A lien holder on the vehicle's certificate of title presents the certificate of title and an accompanying affidavit from an officer of the lien holder establishing that the debt secured by the vehicle is in default or matured, pursuant to Section 601.267, Transportation Code.
3. The impoundment of your motor vehicle is in addition to any other punishment imposed under Chapter 601, Transportation Code.
4. You must apply for permission from the Court before transferring title to the impounded vehicle, which the Court shall approve if it finds the transfer is being made in good faith and is not being made to circumvent Chapter 601, Transportation Code.
5. The Court shall order the release of the impounded vehicle if, while the vehicle is impounded, title to the vehicle is transferred by foreclosure, sale on execution, cancellation of a conditional sales contract, or judicial order.

Ordered, signed, and delivered on _____ day of _____, 20____.

(municipal court seal)

Judge, Municipal Court Date
City of _____
_____ County, Texas

ORDER OF RELEASE FOR IMPOUNDED MOTOR VEHICLE (Secs. 601.191, 601.261, and 601.267, T.C.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

ORDER

TO THE SHERIFF OF _____ COUNTY, TEXAS:

WHEREAS:

1. The named Defendant was convicted for a second or subsequent violation of Section 601.191, Transportation Code (Failure to Maintain Financial Responsibility); and the Court ordered the Defendant's motor vehicle be impounded pursuant to Section 601.261, Transportation Code;
2. The Defendant has applied to the Court for release of the motor vehicle;
3. The Defendant has provided evidence of financial responsibility to the Court's satisfaction, that covers the two-year period immediately following the date the Defendant applied for release of the impounded vehicle;
4. And the Court, by order, shall permit the Defendant to provide evidence of insurability in increments of a period of not less than six months;

IT IS ORDERED that the below-described motor vehicle be released from impoundment upon payment of the reimbursement fee for the impoundment by the Defendant or a person authorized by the owner.

Make: _____ Model: _____ Color: _____ Year: _____

License Number: _____ State: _____ VIN: _____

Vehicle Operator: _____

Vehicle Owner: _____

Address of Owner: _____

Ordered, signed, and delivered on ____ day of ____, 20__.

(municipal court seal)

 Judge, Municipal Court
 City of _____
 _____ County, Texas

<p>Editor's Note: The 86th Legislature passed a large-scale overhaul of court costs, fines, and fees. Several fees were renamed as "reimbursement fees." (S.B. 346, 86th Legislature (2019)).</p>
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ADMONISHMENT FOR EXPUNCTION ON ACQUITTAL (Chapter 55A, C.C.P.)

CAUSE NUMBER: _____

IN THE MATTER OF

DEFENDANT

§
§
§

IN THE MUNICIPAL COURT
CITY OF _____
_____ COUNTY, TEXAS

Offense Date: _____

Acquittal Date: _____

RIGHT TO EXPUNCTION

YOU ARE ADVISED that today a judgment of acquittal has been entered in this proceeding.

You may have the right to expunction of any records and files relating to your arrest for this offense. Generally, expunction orders may be obtained from a district court in this county. Expunction orders that relate to an offense punishable by fine only may be obtained in a justice or municipal court of record in the county in which the petitioner was arrested or the offense was alleged to have occurred. A Petition for Expunction must be filed in the applicable court pursuant to Chapter 55A, Code of Criminal Procedure. You should direct any questions you have concerning expunction to an attorney.

Judge, Municipal Court

Editor's Note: Under Article 55A.201 of the Code of Criminal Procedure, upon acquittal, the trial court shall advise the defendant of the right to expunction.

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT
OF RECORD

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

(Petitioner)

ORDER OF EXPUNCTION

On this date came to be heard the petition for expunction filed in the above captioned cause. Having considered the pleadings and other documents on file herein, and having provided notice to the State (*if applicable, notice to each official or agency or other governmental entity named in the petition*), **the Court finds** that it has jurisdiction over the cause and the parties; and that all procedural and substantive requirements for expunction of the specified criminal records have been met pursuant to Chapter 55A of the Code of Criminal Procedure. The petitioner is entitled to or eligible for expunction under the following provision:

- Article 55A.002 (acquittal by the trial court)
- Article 55A.003 (convicted and subsequently pardoned, including on the basis of actual innocence)
- Article 55A.005 (convicted of an offense committed before Sept. 1, 2021, under Section 46.02(a), Penal Code, as that section existed before that date)
- Article 55A.051 (released, no final conviction, charge no longer pending)
- Article 55A.101 (tried, convicted, and acquitted by the Court of Criminal Appeals, court of appeals if applicable; or before the person is tried, expunction is recommended by an office of the attorney representing the State authorized to prosecute the offense for which the person was arrested)
- Article 45A.305 (records relating to a complaint dismissed after compliance with an order of deferral of final disposition)

Therefore, it is hereby Ordered, Adjudged, and Decreed that:

(1) the petition for expunction filed in the above-captioned cause is GRANTED, and all records of the petitioner's arrest and conviction, including the records in the Municipal Court of Record of the City of _____, Texas, are to be expunged;

The following information is provided to identify the Defendant:

- Full Name:
- Sex:
- Race:
- Date of Birth:
- Driver's License Number:
- Identification Card Number:
- Social Security Number:
- Address at the Time of Arrest:

The following information is provided to identify the records pertaining to this cause:

- Offense:
- Date of Offense:
- Date of Arrest:
- County Where Arrested:
- Municipality Where Arrested:
- Arresting Agency:
- Case Number:
- Court of Offense:
- Cause Number:
- Date of Conviction:
- Tracking Incident Number (TRN) Assigned by DPS:

(2) the respondents listed herein shall return all records and files concerning the above specified arrest to this Court, or if removal is impracticable, obliterate all portions of the record or file that identify the petitioner, including all computer entries, and notify this Court of its action not later than _____, 20____; (*In cases described by Article 55A.202 or 55A.203, records and files must be returned to the court.*)

(3) the respondents shall delete from their records all index references to the records and files that are subject to this expunction order;

ORDER OF EXPUNCTION (Chapter 55A, C.C.P.) (Page 2 of 3)

(4) the respondent, the Municipal Court of the City of _____, Texas, shall not permit inspection of the Court records concerning this expunction proceeding by any person other than the petitioner or petitioner's attorney herein, and shall obliterate all public references to this proceeding;

(5) pursuant to Article 55A.401, Code of Criminal Procedure, after entry of this Order, the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited; further, the petitioner may deny the occurrence of the expunged arrest and the existence of this expunction order, except that when questioned under oath in a criminal proceeding about an arrest for which the records have been expunged, the petitioner may state only that the matter in question has been expunged;

(6) pursuant to Article 55A.3025, the court shall retain federal prohibited person information, as defined by Section 411.052 of the Government Code, and shall keep such information confidential; such information is subject to release to the Department of Public Safety or the Federal Bureau of Investigation, as applicable, only for purposes of an audit of records described by Section 411.0521(c-1) of the Government Code, or to otherwise verify the inclusion of a person's records in the National Instant Criminal Background Check System;

(7) if the petitioner is entitled to expunction based on the expiration of a period described by Article 55A.052(a)(1), (2), 04 (3),, but without the certification of the prosecuting attorney as described by Article 55A.052(a)(4), the applicable law enforcement agency, _____, and prosecuting attorney, _____, may retain the arrest records and files of the petitioner;

(8) if the petitioner is entitled to expunction on the basis of an acquittal, the law enforcement agency, _____, and the prosecuting attorney, _____, may retain records and files if (1) the records and files are necessary to conduct a subsequent investigation and prosecution of a person other than the person who is the subject of this Order; or (2) the State establishes that the records and files are necessary for use in another criminal case, including a prosecution, motion to adjudicate or revoke community supervision, parole revocation hearing, mandatory supervision revocation hearing, punishment hearing, or bond hearing; or a civil case, including a civil suit or suit for possession of or access to a child.

(9) the Texas Department of Criminal Justice shall send to the Court the documents delivered to the department under Section 8(a), Article 42.09 of the Code of Criminal Procedure on or before _____, 20____;

(10) the Department of Public Safety shall notify any central federal depository of criminal records by any means of this Order, together with an explanation to the effect of the order and a request that the records in possession of the depository that are subject to this Order, including any information with respect to this Order, be destroyed or returned to the Court on or before _____, 20____;

(11) the Department of Public Safety shall also provide notice to any private entity that is named in this order or that purchases criminal history record information from the department, together with an explanation to the effect of the order and a request that the entity destroy any information in the possession of the entity that is subject to this Order on or before _____, 20____;

(12) the Department of Public Safety and the Texas Department of Criminal Justice shall delete or redact, as appropriate, from their public records and files that are subject to this Order;

(13) all respondents that are state agencies and that sent information concerning the arrest that is the subject of this Order to any central federal depository shall request that the records in possession of the depository be returned to the Court on or before _____, 20____;

(14) *(if expunction is based on acquittal)* This Order shall have a copy of the Judgment of Acquittal attached and such Judgment of Acquittal is hereby incorporated by reference.

(15) the Clerk of the Municipal Court of the City of _____, Texas, shall cause a copy of this Order to be delivered by secure electronic mail, electronic transmission, or facsimile transmission or otherwise by certified mail, return receipt requested, to the following respondents subject to this Order *(include any official, agency, or other entity or political subdivision of this state and each private entity there is reason to believe has any record or file subject to this order)*:

(a) _____ Court

Address: _____

ORDER OF EXPUNCTION (Chapter 55A, C.C.P.) (Page 3 of 3)

(b) Texas Department of Public Safety
Attn: Expunction Unit, TxDPS Crime Records
P.O. Box 4143 Mail Stop (MSC-0234)
Austin, TX 78765-4143

(c) Texas Department of Criminal Justice
Address: _____

(d) Sheriff's Department
Address: _____

(e) _____ Police Department
Address: _____

(f) _____ District/County/City Attorney's Office
Address: _____

(g) _____ Community Service Provider
Address: _____

(h) Pretrial Services and/or Juvenile Case Manager
Address: _____

(i) Other: _____

Signed this ____ day of _____, 20__.

(municipal court of record seal)

Judge, Municipal Court of Record

City of _____

_____ County, Texas

Editor's Note: Municipal courts of record and justice courts have concurrent jurisdiction with the district courts to expunge fine-only offenses. A person who is eligible for an expunction under the process described in Article 55A.252 may file in a municipal court of record or justice court in the county where either the petitioner was arrested or the offense was alleged to have occurred.

At the request of the defendant, the court shall enter an order of expunction, if entitled to expunction under Article 55A.002, not later than the 30th day after the date of the acquittal. For a person entitled to an expunction under Article 55A.003 or 55A.004, the court shall enter an order of expunction not later than the 30th day after the date the court receives notice of the pardon or other grant of relief. The court shall send a copy of the order to the Crime Records Service of the Department of Public Safety, the Office of Court Administration, and all entities listed in the petition. A state or local agency listed under Article 55A.253 or 55A.256 must accept an electronic copy of an expunction order sent by the court clerk. Art. 55A.351(b-1), C.C.P.

The clerk of the court shall maintain the expunction order in a confidential manner and provide a copy only to the person subject to the order after proper presentation of identification, subject to any further order from the court regarding access to the order. Article 55A.356(c-1), C.C.P. See Article 55A.356, C.C.P., for detailed procedures on destruction by the clerk of files and records subject to expunction.

ORDER DENYING EXPUNCTION (Chapter 55A, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT
OF RECORD

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

(Petitioner)

ORDER DENYING EXPUNCTION

On this date came to be heard the petition for expunction filed in the above captioned cause. Having considered the pleadings and other documents on file herein, and having provided notice to the State (*if applicable, notice to each official or agency or other governmental entity named in the petition*), **the Court finds** that it has jurisdiction over the cause and the parties; and that all procedural and substantive requirements for expunction of the specified criminal records **HAVE NOT** been met pursuant to Chapter 55A of the Code of Criminal Procedure, specifically _____

The petitioner is **NOT** entitled to or eligible for expunction.

Therefore, the petition for expunction filed in the above-captioned cause is **DENIED**.

Signed this _____ day of _____, 20 ____.

(municipal court of record seal)

Judge, Municipal Court of Record

City of _____

_____ County, Texas

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NOTICE OF EXPUNCTION HEARING (Art. 55A.254, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT
OF RECORD

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

NOTICE OF HEARING

A petition for expunction has been filed in the above captioned cause. You are receiving this notice because the petition names (you)(your agency) as an official, agency, or other governmental entity that there is reason to believe has records or files that are subject to expunction under Chapter 55A of the Code of Criminal Procedure. A hearing will be held on the petition for expunction at the _____ Municipal Court of Record, located at _____ on _____, 20__ at _____ (a.m.)(p.m.).

If the court finds at the hearing that the petitioner is entitled to expunction of any records and files that are the subject of the petition, the court will enter an order directing expunction. Your entity may be represented by the attorney responsible for providing your entity with legal representation in other matters.

Signed this _____ day of _____, 20__.

(municipal court seal)

Judge, Municipal Court

City of _____

_____ County, Texas

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Under Article 55A.254 C.C.P., the court shall set a hearing on the matter no sooner than the 30th day following the date the petition is filed and shall give a copy of the petition and notice of hearing to each official, agency, or other entity listed in the petition, other than central federal depositories of criminal records. The clerk is no longer required to send a copy of the petition or notice of hearing to the Office of Court Administration. State or local agencies with an email address on file must accept any petitions or hearing notices sent electronically from the clerk of the court.

See Article 55A.356 of the Code of Criminal Procedure for procedures on destruction by the clerk of files and records subject to expunction.