

You Are Summoned & Ordered to Appear in Person or In Writing; Certified Letter, Before Judge/Magistrate On or Before the 10th Working Day After Date Citation was Issued
 A Suggested **Scheduled Fee & Costs** - Most Common Offenses
VALID ONLY within the first **10 (ten) working days** from date citation was issued

OFFENSE TITLE	Fees/Costs
ASSAULT BY CONTACT	270.00
ASSAULT BY CONTACT (FV) No Injury	320.00
City Ordinance: Dog At Large, No Rabies, At Large/Other, Junk, Weed, Unwholesome Conditions etc.	Contact Court
Driving While License Invalid/Suspended	599.00
Criminal Mischief: Graffiti, Damage, Destroy (Restitution not included)	205.00
Disorderly Conduct: Exposure, Fight, Language, Odor, Threat, Peeping	251.00
DRIVERS LICENSE: EXPIRED / REQUIRED	161.00
EXPIRED REGISTRATION / UNREGISTERED VEHICLE	179.00
ALCOHOL & TOBACCO OFFENSES Committed by:	
JUVENILES (Under 17) & MINORS (Under 21) MUST CONTACT THIS COURT	
FOR INFORMATION ON A COURT DATE	
FAIL TO YIELD RIGHT OF WAY: EMERGENCY VEHICLE	261.00
FAIL TO YIELD ... Offenses under this heading only	191.00
Fail To Maintain Financial Responsibility / Insurance 1 st *	366.00
Fail To Maintain Financial Responsibility / Insurance 2 nd Subsequent *	486.00
* DISMISSED UPON EVIDENCE OF POLICY IN EFFECT ON THE DATE & TIME CITATION WAS ISSUED *	
OPEN CONTAINER	256.00
OPERATE M.V. - WITH CHILD IN OPEN BED	251.00
PUBLIC INTOXICATION - ADULT	256.00
PUBLIC INTOXICATION - JUVENILE	Forward to Juvenile Court
PASSED AUTHORIZED EMERGENCY VEHICLE	299.00
POSSESSION OF DRUG PARAPHERNALIA	256.00
Seat Belt Violations- Contact this Court	
All persons in vehicle are NOW required to wear seatbelts. Children under 8 years of age or under 4 foot-.9 inches in height, must be in state approved car seat/booster seat	
SPEEDING	
1-24 miles over	\$ 128.00
25 miles or more over	\$ 152.00
	In ADDITION To \$ 5.00 Per Mile Over the Speed Limit
SPEEDING - ZONED	CONTACT THIS COURT
WARRANT - FAILURE TO APPEAR (Non-Moving)	272.00
WARRANT - VIOLATE PROMISE TO APPEAR	299.00

IF YOU HAVE READ ALL DOCUMENTS & YOUR QUESTIONS WERE NOT ANSWERED, please CONTACT THE COURT
 Thank You, Smithville Municipal Court
 Page 4 Effective Date: 10/01/16



317 MAIN STREET * P. O. BOX 449
 SMITHVILLE, TEXAS 78957
 512/237-3282 Ext. 4 * FAX: 512/237-4549

MUNICIPAL COURT
 RONALD JONES, JUDGE

HOURS OF OPERATION
 Mon-Fri: 8a-5p

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READ this form COMPLETELY

Calling this COURT DOES NOT constitute an appearance

Accepted PAYMENT in the form of a Money Order or Cashier's Check
 Payable To: **Smithville Municipal Court**

The following is provided as a courtesy to assist you in making an informed decision about options available to you with regards to the charges that have been filed against you with this Court

JUVENILE and/or MINOR ...

If you are a JUVENILE - under age 17 and at least age 10, and the Parent or Legal Guardian, you are hereby given NOTICE OF OBLIGATION -- Pursuant to HB 2319, the child and parent are entitled to written notice of their obligation under subsection (b)(i) of Article 45.057, Code of Criminal Procedure. The subsection reads as follows:

(h) A child and parent required to appear before the court have an obligation to provide the court in writing with the current address and residence of the child. The obligation does not end when the child reaches age 17. On or before the seventh day after the child or parent changes residence, the child or parent shall notify the court of the current address in the manner directed by the court. A violation of this subsection may result in an arrest and is a Class C misdemeanor. The obligation to provide notice terminates on the discharge and satisfaction of the judgment or final disposition not requiring a finding of guilt.

(i) If an appellate court accepts an appeal for a 'trial de novo', the child and parent shall provide the notice under subsection (h) to the appellate court.

JUVENILE (under age 17, at least age 10): Charged with any offense, including Alcohol & Tobacco, **MUST** have parent/legal guardian contact this office regarding a Court Date and Time, including Jury and Non-Jury Trials.

MINOR (under age 21): Charged with any offense, including Alcohol & Tobacco, **MUST** personally contact this office regarding a Court Date and Time, including Jury and Non-Jury Trials.

About CONTACTING THIS COURT: In ALL cases, the JUDGE cannot discuss any aspect of the charge (s) against you. Law forbids these "ex parte communications", including contact **outside** of Court. Both defense and state must be heard only in the courtroom. You will be given every opportunity to be heard. In most cases, the Court Clerk can answer your questions about procedures only.

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Your **APPEARANCE & COMMUNICATION** with this Court: By your **signature** on the citation, is your **promise to appear before this Court** on or before the appearance date (on or before the 10th working day from date of citation). Telephone calls **DO NOT** constitute an appearance. All requests and communications with this Court must be in **writing**. A signed and notarized PLEA, with payment, driver safety course request or a request for trial is acceptable. If **Postmarked** by the 10th working day from date citation was issued. Should you fail to respond by the on or before date, a separate charge of Failure To Appear/Violation Promise to Appear will be filed against you, a warrant may be processed and issued for your arrest on all outstanding charges plus any and all costs and fees required to be paid; and will also result in the **denial of your driver's license renewal**. Certified or registered mail is advisable if you wish to be able to prove that you have met all requirements in a timely manner.

Charges may be **DISMISSED** if you present proof of **VALID Financial Responsibility** (liability insurance) on the vehicle you were driving **at the time of the offense**. **Expired Driver's License**, **Expired Registration Certificate** (must have paid the late plate penalty); YOU may be eligible to have the charges **dismissed**, if you remedy the defect within 10 working days. You have until your appearance date (within 10 working days from date of citation issued) to mail or bring to the Court a receipt or proof of the correction and pay a dismissal fee (money order or cashier's check) and the charges may be dismissed.

Your **MAILING & PHYSICAL ADDRESSES**: Correct address information is **your responsibility**. All written communication will be mailed to the address on the citation, unless you notify this Court in writing that your address (mailing and physical) has been changed.

Driver Safety Course (defensive driving) INFORMATION

You may be eligible to apply for a Driving Safety Course for dismissal of an offense charged under Title VII, Subtitle C of the Transportation Code committed while operating a motor vehicle with the **EXCEPTION OF THE FOLLOWING**:

- **Speeding 25 mph Over The Posted Speed Limit OR In Excess of 95 mph**
- **Serious Traffic Violation**
- **Non-Moving Violation**
- **Construction Zone - Workers Present**
- **Passing a School Bus (load/unload)**
- **Accident Involving Damage to a Vehicle or Leaving Scene of an Accident; Fail to Render Aid**

You may be able to require that this charge be dismissed by successfully completing a Driving Safety Course or a Motorcycle Operator Training Course. You will lose that right if, on or before the 10th working day from the citation issue date, you do not provide this Court with a **written notice** (page 3) of your request to take the course. (Article 45.0511 (g) CCP)

DRIVER SAFETY COURSE Information: Per the *Code of Criminal Procedure, Art. 45.0511*, you MUST enter a PLEA and present to the Court a written request to take the course in person or by mail, **postmarked** on or before the 10th working day from the date citation was issued. You MUST present the Driving Safety Course Request Form, **signed and notarized**, along a copy of the following

- * Money Order or Cashier's Check in the amount of **\$109.10/\$134.10** (costs & fee) Non-Refundable
- * Valid proof of Financial Responsibility (liability insurance)
- * Copy of your valid Texas driver's license
- * **ACTIVE** Military Identification with current drivers license, copy of
- * **A CERTIFIED DRIVING RECORD** (DR-1 / **\$10.00**) from the Texas Department of Public Safety MUST be purchased by you, the Defendant, and submitted to this Court on or before the 90th day from date request was made. You may obtain a Certified Driving Record at: www.texasonline.state.tx.us

The Court may **DEFER** proceedings for **90 days (no extensions)** in order that you may complete an approved (TDLR) Driving Safety Course (you MUST locate and pay separately), and submit the 'COURT COPY' of the *Uniformed Certificate of Completion - signed*, on or before the 90th day from the date of your request.

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REFER TO APPEARANCE & COMMUNICATION - Page 2
Request for a DISMISSED MUST be postmarked no later than the 10th working day from date citation was issued to be valid. A Plea of **NOT GUILTY** will be scheduled for a Pre Trial Hearing. You will be notified of date & time by mail PLEA & OR REQUEST FOR A DRIVING SAFETY COURSE MUST BE SWORN AND SIGNED BY A REGISTERED NOTARY

PLEA Read, initial appropriate boxes, sign & print name & date below

1. I Plead **NO CONTEST** to the charge (s) filed and have enclosed the costs and fees
2. I Plead **GUILTY** to the charge (s) filed and have enclosed the costs and fees
 - a. I understand that I have a right to a trial
 - b. By Pleading **NO CONTEST/GUILTY** and paying the costs and fees, I waive my right to a trial
3. I Plead **NOT GUILTY** to the charge (s) filed and request a trial
 - a. I request a Jury Trial
 - b. I waive my right to a Jury Trial and request a TRIAL BEFORE the COURT

DRIVING SAFETY COURSE

MAIL-IN REQUEST FORM

By placing your **initials** beside each of the following statements, you acknowledge and understand all statements made, to be true and correct, and that you have met all provisions

I, the undersigned, hereby **plead No Contest/GUILTY** to the offense charged on attached citation requesting the Court defer further proceedings in my case so I may complete an approved Texas Dept. of Licensing and Regulations driving safety course

AFFIDAVIT: I, _____, THE DEFENDANT, STATE UNDER OATH THAT ON THE DATE OF MY REQUEST FOR A DRIVING SAFETY COURSE, THAT I WAS NOT TAKING SUCH A COURSE NOR HAD I COMPLETED AN APPROVED TEA COURSE WITHIN THE LAST 12 MONTHS

- I have **ENCLOSED** a copy of my valid TX Driver License; and/or I am an **ACTIVE** Military personnel
- I was not charged with speeding 25 miles or more over the speed limit or in **EXCESS** of 95 mph
- I have **ENCLOSED** a copy & proof of financial responsibility (liability insurance) issued in my name
- I understand that I will need to purchase (\$10.00) a Certified Driving Record from - Texas DPS Driver Record Bureau, Box 149246, Austin, Texas 78714-9246 or www.texasonline.state.tx.us
- I understand that I am responsible to locate and pay for an approved TDLR course (class, video, internet)
- I understand that the Defensive Driving Course must be Certified by the TX Dept of Licensing & Reg.
- I understand that a Certificate of Completion **must** be submitted to the Court ON or BEFORE the 90th day from my request date
- I have **ENCLOSED** a money order or cashier's check made payable to: **Smithville Municipal Court** in the amount of **\$ 109.10 or \$ 134.10** if charged with **Speeding In School Zone**(for costs and fees only)

Under Pain or Perjury, **Defendant / Violator** (named below):

Sworn to and Subscribed Before Me, the Undersigned Authority,

On this the _____ Day of _____, 20__

VIOLATOR'S PRINT NAME	VIOLATOR'S SIGNATURE
	DATE

NOTARY SIGNATURE	NOTARY SEAL
My commission Expires on _____	Notary Public, In and For the State of Texas

CITATION NUMBER (s) <i>Top Right Corner</i>	DESCRIPTION OF VIOLATION(S), OFFENSE TITLE (s)

RECEIPT for your Records: Should you require a printed receipt, enclose a **S.A.S.E. - Self Addressed Stamped Envelope**, with each payment, in the form of a **Money Order or Cashier's Check to: SMITHVILLE MUNICIPAL COURT * P.O. Box 449 or 317 Main Street Smithville, Texas 78957**