

Deferred Disposition Request Form

IF YOU ARE REQUESTING DEFERRED DISPOSITION PLEASE READ THE FOLLOWING BEFORE SUBMITTING YOUR REQUEST FORM:

Deferred Disposition Requirements The court offers the option to "defer" or postpone the disposition of your case and place you on probation for a specified period of time (90 DAYS) during which you must comply with certain terms and conditions. Terms vary depending on the type of violation and not all violations have this option. At the end of your deferral period, if you have successfully completed the terms of your deferral in a timely manner, your violation will be dismissed. Nothing will go on your record outside of the RAINS COUNTY JUSTICE OF THE PEACE.

If any terms or conditions are not met and you cannot provide a satisfactory explanation at a hearing before a judge, you will be found guilty and a conviction will be reported to the Texas Department of Public Safety.

Non-Eligibility: PLEASE DO NOT SUBMIT REQUEST FOR THE FOLLOWING CHARGES You are not eligible for a Deferred Disposition on a moving violation if you are charged with:

- Speeding 95 mph or speeding 25 mph or more above the posted speed limit
- Leaving the scene of a collision.
- Passing a School Bus.
- Received your citation while driving in a Construction Zone when workers were present.
- Have a commercial driver license even if the violation occurred while you were driving a private vehicle.

There may be other reasons you are not eligible for a deferred disposition. Each case is unique and must be reviewed prior to granting a deferred disposition.

If you send in paperwork and are not eligible, you will be notified by mail, email or phone.

***Note:** It is important to keep the Court notified of your current mailing address so you do not miss important correspondence. Appearance at Court Required:

You must appear at court to request a Deferred Disposition if:

- You are a juvenile (under the age of 17). As a juvenile, you must appear in person with a parent or guardian at the date and time assigned by the court prior to requesting a deferred disposition. Keep your address updated with the Court because notices will be mailed.
- You are charged with a violation other than traffic, "no insurance", no driver license or driving with license invalid, seat belt. You may contact the court to determine if you are required to attend an appearance docket.

Deferral Terms and Procedure:

The terms and conditions of the various Deferred Disposition are NOT listed on the form. Your case will be reviewed and, if you are not eligible for a deferred disposition, you will receive notice in the mail asking you to make your preset court appearance. If you are eligible, a Judge will consider your request and, if approved, you will have to come in during regular business hours to start the Deferred Disposition agreement.

****NOTE**** Anyone 25 and under by Texas law are automatically required to take a Driving Safety Course as a condition to their Deferred Disposition RAINS COUNTY JUSTICE OF THE PEACE.

Deferred Disposition Request

Name : _____
Address: _____ City : _____ STATE _____ ZIP _____
DL No.: _____ DOB: _____ Ph. No: _____ Email: _____
Citation No.: _____ Date Issued: _____ Offense(s): _____
_____ I hereby enter a plea of "no contest" to the violation of _____
_____ and waive my right to a jury trial.

- ◆ I possess a valid Texas driver's license or permit (Commercial Driver's License holders do not qualify)
- ◆ I DO NOT hold a commercial driver's license
- ◆ I HAVE already taken a driving safety course in lieu of paying a fine in the past 12 months or I am in the process of taking a safety course that is not yet reflected on my driving record.
- ◆ I HAVE NOT been placed on Deferred Disposition in the past 12 months.
- ◆ I am NOT charged with speeding 25 or more miles over the posted speed limit.
- ◆ I understand that if I have NOT taken a driving safety course in the past 12 months that deferred can be denied and I will have the option of requesting DSC.

I request that the Court allow me to complete a Deferred Disposition sentence for this case. I understand that if I successfully complete the terms of the Deferred Disposition in a timely manner, my case will be dismissed. If I do not successfully complete the terms of the Deferred Disposition, I will be sent a notice to appear in court to show cause why I did not complete the terms of this deferral. If cause is not sufficient, I understand that the Deferred Disposition will be revoked, a judgment of guilt entered, and the conviction will be reported to the Department of Public Safety to be placed on my driving record.

Please state your reason for requesting deferred disposition: _____

Signature of Defendant: _____

Sworn before me this _____ day of _____, 20____.

Deputy/Court Clerk _____ or Notary Public in State of Texas _____

My Commission Expires: _____, County _____

FOR OFFICE USE ONLY

Request

- ☐ GRANTED
☐ DENIED

Rains County Justice of the Peace _____ Date _____, 20____

NOTE: JUVENILES 16 & UNDER ARE REQUIRED BY LAW TO APPEAR BEFORE THE COURT IN PERSON WITH A PARENT OR GUARDIAN FOR ALL VIOLATIONS.