



MUNICIPAL COURT
622 E, MARKET STREET
ROCKPORT, TEXAS 78382

FAX (361) 729-9645

court@cityofrockport.com

(361) 729-2213 ext. 237

INSTRUCTIONS TO REQUEST DEFERRED DISPOSITION

The Judge may defer disposition of your case up to 180 days and set required terms for the deferral period on most offenses. If required terms are completed and fees paid by the end of the deferral period, the case is dismissed and will not appear as a conviction on your record. The holder of a commercial driver's license (CDL) is not eligible for deferred disposition on moving traffic violations.

If you wish to request deferred disposition on your case, you may do so by printing the attached request form (page 2) and plea form (page 3), completing and signing the forms and sending them to the Rockport Municipal Court by fax, mail or e-mail at the address and information shown at the top of this letter or bringing them to the court in person at Rockport City Hall, 622 E. Market Street, Rockport, Texas 78382

Upon receipt of your forms, the Judge will review your case, complete the order and send you a copy of the order to inform you of the terms of your deferral and the amount of fees to be paid.

Pages four (4) through six (6) are for viewing only and to be completed by the court when deferral is approved and at the end of the deferral period to indicate final disposition of case.

**IN THE MUNICIPAL COURT OF
THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

**THE STATE OF TEXAS
VS.**

CAUSE NO. _____

APPLICATION FOR DEFERRED DISPOSITION

To the Honorable Judge of the Rockport Municipal Court:

Now comes, Defendant, in the above styled and numbered cause and enters his plea of No Contest (Nolo Contendere) and requests deferred disposition on the offense of _____ which he is charged and would show the court:

The defendant alleges that, if the court accepts his plea of No Contest, the court will defer final disposition of this cause of action for _____ days during which time the defendant will not violate similar laws of this or any other state. Further, defendant shall pay with this application administrative fee of \$_____.

The Defendant hereby states that he is not under a deferred order of any court nor has not made application for deferred disposition to any other court at this time.

At the conclusion of the deferral period, the Court will confirm that defendant has complied with the above conditions and the Court shall then dismiss the complaint and there will be no final conviction and the complaint may not be used against the defendant for any purpose. In the event satisfactory proof is not shown to the court of compliance or the defendant does not comply as set forth, the court may proceed with an adjudication of guilt and enter a guilty plea on the original charge.

Sworn to and dated this the _____ day of _____, 20____.

Defendant

**IN THE MUNICIPAL COURT
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

**THE STATE OF TEXAS
VS.**

CAUSE NO. _____

PLEA FORM

You have been charged with the offense of _____.

You may enter a plea of no contest, guilty, or not guilty.

NO CONTEST

(nolo contendere)

A plea of no contest states you are not contesting the charges filed.

If you plead no contest, a finding of guilty will be entered by the court and the Judge will set the amount of your fine.

GUILTY

A guilty plea states you are guilty of the charges as filed. The fine and costs on a plea of guilty are the same as plea of no contest.

NOT GUILTY

A not guilty plea states you are not guilty of the charge as filed.

If you plead not guilty, a trial date will be set. You are required to appear for trial. Failing to appear may result in you being charged with Failure to Appear (Sec.38.11 PC) and a warrant being issued for your arrest. **YOU HAVE THE RIGHT TO HIRE AN ATTORNEY.** The State is represented by the City Attorney. **NOTICE OF YOUR COURT DATE WILL BE MAILED TO THE MAILING ADDRESS YOU HAVE LISTED BELOW.**

TO THIS CHARGE:

CHECK ONE:

- I hereby enter a plea of NOT GUILTY and request a non-jury trial and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOT GUILTY and request a trial by jury.
- I hereby enter a plea of GUILTY and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOLO CONTENDERE and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOLO CONTENDERE and request Deferred Disposition
- I hereby enter a plea of NOLO CONTENDERE and request Defensive Driving.

DEFENDANT'S SIGNATURE/DATE

DEFENDANT'S ATTORNEY SIGNATURE/DATE

DRIVER'S LICENSE NO. OR I.D. NO. DATE OF BIRTH SOCIAL SECURITY NO.

HOME ADDRESS APT #

CITY, STATE, ZIP

PHONE

MAILING ADDRESS

WORK ADDRESS STE#

CITY, STATE, ZIP

PHONE

**IN THE MUNICIPAL COURT
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

**STATE OF TEXAS
VS.**

CAUSE NUMBER: _____

ORDER OF DEFERRAL

On this the _____ day of _____, 20____, _____, Defendant, appeared (by attorney) (in person) (by mail) before the Municipal Court of the City of Rockport, Aransas County, Texas to receive warnings as required by law. Defendant is accused of the crime of _____ . Upon making his/her appearance before the court, the Defendant:

- Entered a plea of guilty or nolo contendere (no contest)
- waived his/her right to trial by jury or before the court;
- was found guilty of the offense charged;
- requested suspension of sentence and deferral of final disposition on the case.

The Court finds that Defendant, having been found guilty of said offense and that the punishment has been set at a fine of \$ _____ and court costs in the amount of \$ _____.

Under the authority of Article 45.051, Code of Criminal Procedure, the Court defers further proceedings without entering an adjudication of guilt and places the defendant on probation for a period not to exceed 180 days, with the following conditions:

DEFERRAL PERIOD: _____ days beginning _____ until _____, 20____.

CONDITIONS OF DEFERRED DISPOSITION

DEFENDANT SHALL:

- 1. Post a bond in the amount of \$ _____ to secure payment of the fine;
- 2. NOT be subsequently convicted of any _____ offenses committed after the date of this order;
- 3. Submit proof of financial responsibility as required by law to the Court at the termination of the deferral period; said proof showing that Defendant kept in force financial responsibility during the entire deferral period;
- 4. Submit and/or obtain proof of a valid driver's license within _____ days.
- 5. Pay restitution to _____ in the amount of \$ _____ within the deferral period;
- 6. Complete a driving/motorcycle safety course approved by the Texas Education Agency;
- 7. Obtain certified copy of Driver's Record form Texas Department of Public Safety.
- 8. Being under 25 years of age committing moving traffic violation, shall complete a driving safety course approved by the Texas Education Agency;
- 9. As holder of a provision driver's license, be examined by Texas Department of Public Safety to demonstrate driver's ability to operate a motor vehicle and pay a \$10 examination fee to Texas DPS;
- 10. Complete the following course: _____;
- 11. Other: _____
- 12. Present to the Court satisfactory evidence of complying with each requirement imposed by the Judge.
- 13. Return for review hearing at 9:00 AM on _____, 20____.

Violation of any of the above noted conditions shall constitute a violation of this agreement.

Defendant further pleads that he/she cannot pay all costs of the court at this time and the Court has determined that Defendant does not have the ability to pay all costs at this time; but that granting deferred disposition to the Defendant is an acceptable and reasonable form of punishment;

IT IS THEREFORE ORDERED and Defendant freely AGREES to pay fees and court costs in the total

amount of \$_____ in (weekly/monthly) payments of \$_____, beginning on the ____ day

of _____20____, and continuing on the _____ day of each successive (week/month) thereafter during the deferral period until paid in full.

If Defendant successfully complies with the conditions of the agreement, then this case shall be **DISMISSED** by the Court and shall **NOT** be reported as a conviction, but a special expense fee of \$_____ (not to exceed amount of fine) will be collected. Failure to comply shall cause this case to result in a **CONVICTION**, payment of a **FINE** of \$ _____ and the conviction will be reported as required by law.

A copy of this Order was delivered to the Defendant on this date.

Agreed to and signed this the _____ day of _____, 20_____.



Defendant's Signature

Municipal Court Judge
City of Rockport, Aransas County, Texas

**IN THE MUNICIPAL COURT
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

**STATE OF TEXAS
VS.**

**CAUSE NUMBER: _____
Offense: _____**

JUDGMENT AFTER DEFERRED DISPOSITION

- On the ___ day of _____, 20__ in the above numbered and entitled cause:
 - The Defendant, not complying with the terms of deferred disposition, is Ordered to pay the fine assessed in the amount of \$_____.
 - The Defendant, not complying with the terms of the deferred disposition, the cash bond posted by the Defendant is Ordered forfeited to pay the fine assessed in the amount of \$_____.
- It is Ordered dismissed on the grounds that the Defendant presented evidence of successful completion of the terms of the deferred disposition.
 - It is Ordered that the Defendant pay a special expense fee in the amount of \$_____.
 - It is Ordered that the cash bond to secure payment of the fine posted by Defendant in the amount of \$_____ shall be refunded.
- If the Defendant fails to comply with the orders of this Judgment, the Defendant shall be committed to the custody of the Sheriff of Aransas County, Texas until said fine and costs are fully paid. In the event the Defendant defaults in the discharge of this judgment, pursuant to Article 45.048(b), Code of Criminal Procedure, the Court specifies that the Defendant remain in jail:
12 hours to earn \$50 to satisfy the fine and costs.



Municipal Court Judge,
City of Rockport, Aransas County, Texas