

You Are Summoned & Ordered to Appear in Person or In Writing, Certified Letter, Before Judge/Magistrate On or Before the 10th Working Day from 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	261.00
ASSAULT BY CONTACT (FV) No Injury	311.00
City Ordinance: Dog At Large, No Rabies, At Large/Other, Junk, Weed, Unwholesome Conditions	152.00
City Ordinance: Noise Violation, Loud Music	211.00
Criminal Mischief: Graffiti, Damage, Destroy (Restitution not included)	196.00
Disorderly Conduct: Exposure, Fight, Language, Odor, Threat, Peeping	242.00
DRIVERS LICENSE: EXPIRED / NO VALID / REQUIRED	152.00
EXPIRED MOTOR VEHICLE INSPECTION	182.00
EXPIRED REGISTRATION / UNREGISTERED VEHICLE	167.00

ALCOHOL & TOBACCO OFFENSES Committed by:
JUVENILES (Under 17) & MINORS (Under 21) MUST CONTACT THIS COURT
 FOR INFORMATION ON FEES/COSTS/PROCEDURES

FAIL TO YIELD RIGHT OF WAY: EMERGENCY VEHICLE	252.00
FAIL TO YIELD . . . Offenses under this heading only	182.00
Fail To Maintain Financial Responsibility / Insurance 1 st	357.00
Fail To Maintain Financial Responsibility / Insurance 2 nd Subsequent	477.00
* DISMISSED UPON EVIDENCE OF POLICY IN EFFECT ON THE DATE & TIME CITATION WAS ISSUED	
OPEN CONTAINER	247.00
OPERATE M.V. – WITH CHILD IN OPEN BED	242.00
PUBLIC INTOXICATION – ADULT	247.00
PUBLIC INTOXICATION - JUVENILE	Forward to Juvenile Court
PASSED AUTHORIZED EMERGENCY VEHICLE	294.00
POSSESSION OF DRUG PARAPHERNALIA	247.00
SEAT BELT VIOLATION – Allow Child To Ride Unsecured / Without Seat Belt	315.00
SEAT BELT VIOLATION – Unrestrained Child Under 5 yoa / 36 inches	292.00
SEAT BELT VIOLATION – Drive W/O Seat Belt	224.00
SEAT BELT VIOLATION – Front Seat Passenger	167.00

SPEEDING	1-24 miles over	\$ 119.00 and	In ADDITION To \$ 5.00 Per Mile Over the Speed Limit
	25 miles or more over	\$ 143.00 and	
SPEEDING - ZONED	CONTACT THIS COURT		
WARRANT – FAILURE TO APPEAR (Non-Moving)	347.00		
WARRANT – VIOLATE PROMISE TO APPEAR	380.00		



MUNICIPAL COURT
RONALD JONES, JUDGE

317 Main Street * P. O. BOX 449
 SMITHVILLE, TEXAS 78957
 512/237-3282 Ext. 2205 * FAX: 512/237-4549
NIGHT COURT – 4th Thursday each month
HOURS OF COLLECTION Monday - Friday 7 am – 5 pm | **TUESDAY's** Scheduled Court

You Are Summoned & Ordered to Appear in Person or In Writing, Certified Letter, Before Judge/Magistrate On or Before the 10th Working Day from Date Citation was Issued

READ this form **COMPLETELY** before calling this COURT

Calling this COURT DOES NOT constitute an appearance

DO NOT contact this Court unless you have **READ ALL** documents given to you by the issuing officer, including the *back* of the GREEN CITATION

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

If you are a 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 (h)(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 to schedule 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 to schedule 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.

IF YOU HAVE READ ALL DOCUMENTS & YOUR QUESTIONS WERE NOT ANSWERED, YOU MAY NOW CONTACT THIS COURT

Thank You, Smithville Municipal Court

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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: Financial Responsibility (liability insurance) on the vehicle you were driving at the time of the offense. Expired Driver's License / Expired Inspection Certificate (vehicle inspection has NOT been expired for more than 60 days); 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 a \$10.00 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
C.D.L. HOLDER
Serious Traffic Violation
Construction Zone - Workers Present
Non-Moving Violation
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 appearance date as shown on your citation, you do not provide this Court with a written notice (page3) 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 Mail In Request Form (page 3), signed and notarized, along with the following

- Money Order or Cashier's Check in the amount of \$104.00 / \$129.00 (Speeding In School Zone) (costs & fee Non-Refundable)
Copy Valid proof of Financial Responsibility (liability insurance)
Copy of your 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 ALLOWED) in order that you may complete an approved (TEA) 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 DSC/MOTC MUST be postmarked no later than the 10th working day from date citation was issued to be valid PLEA & / OR REQUEST FOR A DRIVING SAFETY COURSE MUST BE SWORN AND SIGNED BY A REGISTERED NOTARY A Plea of NOT GUILTY will be scheduled for a Pre Trial Hearing. You will be notified of date & time by mail

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

- I Plead NO CONTEST to the charge (s) filed and have enclosed the costs and fees
I Plead GUILTY to the charge (s) filed and have enclosed the costs and fees
I understand that I have a right to a trial
By Pleading NO CONTEST/GUILTY and paying the costs and fees, I waive my right to a trial
I Plead NOT GUILTY to the charge (s) filed and request a trial
I request a Jury Trial
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
I request the Court defer further proceedings in my case so I may complete an approved Texas Education Agency driving safety course

AFFIDAVIT: I, _____, THE DEENDANT, 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

ENCLOSED is a copy of my valid Texas Drivers License; and/or I am an ACTIVE Military personnel

I was not charged with speeding 25 miles or more over the speed limit

ENCLOSED is 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 TEA course (class, video, internet)

I understand that the Defensive Driving Course must be Certified by the Texas Education Agency

I understand that a Certificate of Completion must be submitted to the Court ON or BEFORE the 90th day from my request date. NO EXTENSIONS ALLOWED. MUST take course within first 60 days in order for you to be in compliance with the submission due date or end date of your deferred period.

ENCLOSED is a money order or cashier's check made payable to: Smithville Municipal Court in the amount of \$ 104.00 / \$ 129.00 (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__

Table with 3 columns: VIOLATOR, PRINT NAME; VIOLATOR SIGNATURE; DATE

Table with 2 columns: NOTARY SIGNATURE; My commission Expires On; Notary Public, In and For the State of Texas; NOTARY SEAL

Table with 2 columns: CITATION NUMBER (s) Top Right Corner; 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 / 317 Main Street * Smithville, Texas 78957