

# HOW TO REQUEST DEFERRED DISPOSITION (PROBATION) BY MAIL OR IN PERSON - PRIOR TO YOUR COURT DATE

Deferred disposition is an opportunity to have your citation dismissed after successful completion of a 90 to 180-day period in which NO additional moving violations are received. The program is subject to approval from the Judge and may be granted or denied based on his review of your violation. The Judge will also determine whether the deferral is 90 to 180 days. To be approved, you must be eligible and **all fees must be paid at the time of your request.**

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## **How do I know if I am eligible for Deferred Disposition (probation)?**

- \* Are you currently on Deferred Disposition (probation) in this or any other court?
- \* Was your citation written for 25 or more miles over the posted speed limit (regular zone)?
- \* Was your citation written for 15 or more miles over the posted speed limit (school zone)?

**If you answered "yes" to any of the above questions you may NOT request Deferred Disposition by mail, internet or with the clerk. You must see the Judge.**

- \* Were you in a construction zone with workers present?
- \* Do you hold a commercial drivers license?

**If you answered "yes" to either of the above questions you are NOT eligible for deferred disposition by State Statute.**

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**IF THE DEFENDANT IS UNDER THE AGE OF TWENTY-FIVE (25),** and if the Defendant is charged with a "moving" violation of the Tx. Trans. Code, the defendant shall attend a T.E.A. approved Drivers Safety Course (DSC) and provide a driver's safety completion certificate to the Court within ninety (90) days of the date of request.

**IF THE DEFENDANT HAS A PROVISIONAL LICENSE,** and if the Defendant is charged with a "moving" violation of the Tx. Trans. Code, the defendant shall take a Deferred Driving Test with the Texas Department of Public Safety and provide a certificate of completion of the exam within ninety (90) days of the date of request.

I, \_\_\_\_\_ citation no. \_\_\_\_\_, wish to enter a plea of \_\_\_\_\_ Guilty \_\_\_\_\_ No Contest. I am 17 years old or older and I waive my right to a jury trial and request Deferred Disposition (probation). I understand the Court will defer further action for a period of 90 to 180 days. During which time, I must NOT be charged or convicted of any moving traffic violation. I understand that If I am under the age of 25 (at the time of the offense), I will be required to attend a driver's safety course as a condition of my deferral (probation). I understand that if I have a provisional license (at the time of the offense), I will be required to complete a deferred driving test with the Texas Department of Public Safety as a condition of my deferral (probation).

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Phone Number

## **Deferred Disposition Affidavit**

Now comes the defendant in the above styled and numbered case and requests that he/she be granted Deferred Disposition pursuant to Article 45.051 of the Texas Code of Criminal Procedure, as amended, and in support of the Defendant's application would show the Court the following:

I am not currently participating in Deferred Disposition in the Town of Westlake or any other court. The foregoing representation is true and correct in all respects, and by signing below I acknowledge the accuracy of the above statement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Signed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge's Signature

