

CAUSE NO. CR _____

THE STATE OF TEXAS

§ IN THE COUNTY COURT

VS

§

§ AT LAW NO. 2 OF

§

§ HUNT COUNTY, TEXAS

ORDER WAIVING SURCHARGES FOR INDIGENT DEFENDANT

The above-named Defendant was convicted in this court for an offense giving rise to surcharges under TEX. TRANSP. CODE Ch. 708. The Defendant has provided evidence to the Court establishing indigence as follows:

1. the Court previously received evidence, found the Defendant indigent, appointed counsel for the purposes of this case, and finds that status is unchanged; or
2. a copy of his/her most recent federal income tax return reflecting personal or household income that does not exceed 125 percent of the applicable income level established by federal poverty guidelines;
3. a copy of his/her most recent wage statement reflecting personal or household income that does not exceed 125 percent of the applicable income level established by federal poverty guidelines;
4. federal agency, state agency, or school district documentation indicating that he/she (or the taxpayer claiming him/her as a "dependent," as defined by Section 152, Internal Revenue Code of 1986) receives assistance from:
 - (A) the food stamp program or the financial assistance program established under Chapter 31, Human Resources Code;
 - (B) the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. § 1786;
 - (C) the medical assistance program under TEX. HUM. RES. CODE Ch.32;
 - (D) the child health plan program under TEX. HEALTH & SAFETY CODE Ch. 62;or
 - (E) the national free or reduced-price lunch program established under 42 U.S.C. § 1751 et seq.; or
5. the Defendant provided testimony to establish his/her indigence.

THEREFORE, the Court FINDS that Defendant is indigent and, pursuant to TEX. TRANSP. CODE§ 708.158, ORDERS that the Texas Department of Public Safety WAIVE all surcharges that would otherwise be assessed under Chapter 708 as a result of the conviction in this case.

Signed on the following date: _____.

JUDGE PRESIDING

TO THE CLERK: Attach copy of this ORDER to DL 117 and note on DL 117: "SURCHARGES WAIVED (ORDER ATTACHED)."