

CITATION NO/TICKET NUMBER. _____

THE STATE OF TEXAS	§	IN THE JUSTICE COURT
	§	
v.	§	PRECINCT NO. 1&3
	§	
_____	§	
DEFENDANT	§	WINKLER COUNTY, TEXAS

AFFIDAVIT FOR DEFERRED DISPOSITION (Art. 45.051 CCP)

NOTICE – READ CAREFULLY BEFORE COMPLETING: All juveniles, 16 years or younger, must appear in person with a parent or legal guardian. If the offense is traffic related and you hold a commercial driver’s license, you are ***not*** eligible to request this option. If the offense is traffic related, you must submit a copy of your current drivers’ license and liability insurance with your application.

FULL NAME: _____

ADDRESS: _____
INCLUDE APT. #) (CITY) (STATE) (ZIP CODE)

PHONE: _____

I do hereby enter my plea of No Contest/Guilty, waive my right to a jury trial and request Deferred Disposition (Probation) for the Class C Misdemeanor offense of: _____. I understand that I must make this request on or before my appearance date and I must meet all the eligibility requirements in order for this request to be granted by the Court. I understand that Deferred Disposition is a privilege, not a right, offered at the sole discretion of the Court.

I swear the following statements are true and correct:

1. I am the defendant in the above numbered citation. **(Initial)**_____
2. I hereby enter a plea of No Contest/Guilty and waive my right to a jury trial. **(Initial)**_____
3. I was not charged with exceeding the posted speed limit in excess of 25 mph, operating a motor vehicle without financial responsibility (if an accident was involved), subsequent violation of the financial responsibility law, subsequent violation involving alcohol, and ***I do not hold a commercial driver license.*** **(Initial)**_____
4. I have not been on Deferred Disposition for dismissal of an offense within one (1) year prior to the offense date in this matter. **(Initial)**_____
5. I have contacted the Court for the correct amount to submit for this option AND am enclosing FULL PAYMENT for this request. PAYMENTS CANNOT BE MADE ONLINE OR OVER THE PHONE FOR DEFERRED REQUESTS. I understand that a request submitted without full payment will not be approved. **(Initial)**_____
6. I understand IF the court grants my request; the deferral period will not start until the full amount of my fine is paid. **(Initial)**_____
7. IF the Court grants this request, I understand that I will be placed on probation for a period of time not to exceed 180 days. **(Initial)**_____

8. IF the Court grants this request, I understand that the Court will require that I not be issued a citation for any similar offense during my probationary period. **(Initial)**_____

9. IF the Court grants this request, I understand that the Court may impose additional requirements as it deems appropriate during my probationary period (i.e. attend classes, perform community service, submit to counseling, provide documentation, etc.) and, if ordered to do so, I understand that documented proof of the requirements being met must be filed with the Court in accordance with the terms and conditions set forth in the Order of the Court. **(Initial)**_____

10. IF the Court grants this request, if I have successfully complied with my probation, the Court will process this matter for DISMISSAL BY DEFERRED. **(Initial)**_____

11. And finally, IF the Court grants this request, and I FAIL TO COMPLY with all the terms and conditions of my probation, I understand that I will have a conviction in this matter and the offense will be reported as required by law. **(Initial)**_____

I, the Defendant, do hereby enter a plea of (initial one)_____ **Guilty** or _____ **No Contest** and swear or affirm to the truth of the statements above.

Your name (Printed)_____

Your Signature: _____

PLEASE NOTE: Failure to properly complete, sign and mail or hand deliver this form with your payment on or before your appearance date, or failure to attach full payment with your request as required can result in your request being denied and judgment (conviction) being entered against you.

Subscribed and sworn to before me, this

_____ Day Of _____, 20_____.

Justice Court Clerk/Notary Public

90 Day period ends on the

_____ Day of _____, 20_____