STANDING ORDER	§	**IN THE PROBATE COURT**
	§	
2020-1	§	**NUMBER 1**
	§	
	§	**MONTGOMERY COUNTY, TEXAS**

ORDER REGARDING
WRITTEN ADMONITION ON INELIGIBILITY
TO POSSESS FIREARMS OR AMMUNITION
(see also 1 TAC §176.1)

On this day, a regular day in the term of this Court, this Court orders as follows:

In compliance with 1 TAC §176.1 the Court will provide the attached Written Admonition on Ineligibility to Possess Firearms or Ammunition to all wards of the Court who are physically present in the Courtroom when the guardianship is established.

For individuals who may not be provided said Admonition in this manner, the Court will provide via mail, email or otherwise said Admonition along with a copy of this order to the applicable guardian.

It is therefore ordered, that any guardian receiving the Written Admonition on Ineligibility to Possess Firearms or Ammunition, attached hereto, shall provide the Admonition to their ward within 14 days of receipt.

SIGNED 10/1/23

Claudia L. Laird
JUDGE PRESIDING

WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARMS OR AMMUNITION

In accordance with **1 Texas Administrative Code §176.1**, the Court hereby admonishes you of the following:

1. *You are, by entry of order or judgment, ineligible under Texas law to possess a firearm or ammunition.*

2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.

3. Under Texas Penal Code §46.01(3):

    a. "**Firearm**" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any *device readily convertible to that use.*

    b. "**Firearm**" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney. For your reference, you may wish to consult the statutes listed below, which may or may not apply to your circumstances.

- Code of Criminal Procedure Article 17.292 – Magistrate's Order for Emergency Protection
- Code of Criminal Procedure Article 27.14(e)(1) – Plea of Guilty or Nolo Contendere in Misdemeanor
- Code of Criminal Procedure Article 42.0131 – Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02 – Unlawful Carrying Weapons
- Penal Code §46.04 – Unlawful Possession of Firearm
- Penal Code §25.07 – Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026 – Warning on Protective Order