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STANDING JUDICIAL ORDER REGARDING THE GRANTING AND DISMISSING OF DEFERRED DISPOSITIONS FOR OPERATION OF ALARM WITHOUT A PERMIT CITATIONS

ON THIS DAY, came to be heard the State's Standing Motion To Dismiss Operation Of Alarm Without A Permit Citations Issued Under The City of Plano Code Of Ordinances, When Alarm Permit Subsequently Obtained by Defendant; and the Court having considered the Standing Motion.

Alarms

IT IS ORDERED that any defendant who is eligible for Deferred Disposition based on the current policy of the City of Plano Municipal Court may be granted Deferred Disposition at the Court Clerk's window for Operation of Alarm Without A Permit violation. The court costs and special expense fee must be paid the day the Deferred Disposition is granted. The Deferred Disposition for this type of violation will be for a one-day period. A written Deferred Disposition order will not be required.

IT IS FURTHER ORDERED that the Municipal Court Clerk shall have the authority to accept a special expense fee of $10.00, and the applicable court costs, upon the defendant's entry of a plea of "nolo contendere" or "guilty" and the defendant submitting proof that an alarm permit for the property has been obtained. Satisfactory proof may be presented by presenting either a City-issued receipt for issuance of the alarm permit or a legible photocopy of the City-issued alarm permit.

The Municipal Court Clerk shall complete the Deferred Disposition block on the front of the court jacket by noting the defendant's plea, the date the Deferred Disposition starts, and the total amount of the costs and special expense fee. The Court Clerk shall place the stamp "Per Judge's Order" on the "DISMISSAL" line. It will not be necessary for the Court Clerk to send these court jackets to the Judge's Office for review or approval if the Court Clerk verifies that the defendant is eligible for Deferred Disposition.

IT IS FURTHER ORDERED that the defendant's case shall be dismissed the same day as the granting of the Deferred Disposition. If the defendant tenders a check or other form of payment that is returned unpaid to the Court, the case will be forwarded to the Judge's Office to have the dismissal removed and the case continued for prosecution.

This Order shall apply to any pending Operation of Alarm Without A Permit case that arose before or arises after the date this order is signed.

SIGNED AND ENTERED on this the 7 day of A

Donald J. Stevenson,
Chief Municipal Judge
Plano Municipal Court

CORPORATION COURT IN PLANO TEXAS

James M.
Associate
Plano Mu

Cathy D.
Associate
Plano Mu

Alarms -
OK to change NAME -
Need to verify address

Walk over to PO if no address confirmation

$10.00 Fee

city of plano

Municipal Court
Judges' Office

Donald J. Stevenson
Chief Municipal Judge

James M. McCarthy
Associate Municipal Judge

Cathy Haden
Associate Municipal Judge

Court Coordinator

972-941-2495

Te[illegible]ourt/Community
S[illegible] Coordinator

972-941-2009

Plano Municipal Court
Ju[illegible] Office
P.[illegible]x 860828
Plano, Texas 75086-0828
972-941-2070

email:
planocourt@plano.gov

MEMO

To: Vicki Smith
From: Don Stevenson
CC: Jim McCarthy, Cathy Haden, Efren Ordoñez, Gwen Bauman, Linda Frank, Aaron Kaufman, Rodney Patten, Paul Richardson
Date: April 7, 2003
RE: State's Standing Motion to Dismiss Operation of Alarm without a Permit Citations and 1st Amendment to the Standing Judicial Order Regarding Reduction of Fine for Expired Registration Citations where the Registration was Renewed but not Displayed

Enclosed are the original State's Standing Motion to Dismiss Operation of Alarm without a Permit Citations and the 1st Amendment to the Standing Judicial Order Regarding Reduction of Fine for Expired Registration Citations. Copies of these motions have been kept in the Judges office.

Should you have any questions please call me at (972) 941-2169.

Thank you,
Don Stevenson
Chief Municipal Judge

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§ IN THE MUNICIPAL COURT

§ CITY OF PLANO

§ COLLIN COUNTY, TEXAS

STATE'S STANDING MOTION TO DISMISS
OPERATION OF ALARM WITHOUT A PERMIT CITATIONS
ISSUED UNDER THE CITY OF PLANO CODE OF ORDINANCES,
WHEN ALARM PERMIT SUBSEQUENTLY OBTAINED BY DEFENDANT,
FOR $10.00 SPECIAL EXPENSE FEE PLUS ALL MANDATED COURT COSTS

NOW COMES, the State of Texas, by and through its attorneys of record, PAUL RICHARDSON, and RODNEY D. PATTEN, Prosecutors for the Municipal Court of the City of Plano, Collin County, Texas, and hereby files this Standing Motion requesting that this Court dismiss all Operation of Alarm Without a Permit citations issued under the City of Plano Code of Ordinances, when a city alarm permit is subsequently obtained by defendant.

The State moves that in each and every appropriate cause wherein the Defendant meets the following two mandatory requirements, that the Defendant be granted deferred disposition and the citation be dismissed.

MANDATORY REQUIREMENTS:

1. The Defendant must submit proof either by City receipt or a copy of the City issued permit, that an alarm permit for the property in question was obtained; and

2. The Defendant must pay a $10.00 Special Expense Fee to the City of Plano plus all mandated court costs.

FILED
Municipal Court
City of Plano, Texas
APR 0 3 2003
Clerk of the Court #2

PRAYER:

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WHEREFORE, the State of Texas on behalf of the City of Plano, prays that this Standing Motion be granted, and that the Court issue a Standing Judicial Order authorizing the Clerk of the Municipal Court of the City of Plano to grant deferred disposition and to dismiss citations that have been issued under the City of Plano Code of Ordinances for Operation of Alarm Without a Permit, when the defendant has provided proof of a properly obtained permit and made payment of $10.00 Special Expense Fee plus all mandated court costs.

Respectfully submitted,

PAUL RICHARDSON
Assistant City Attorney I/Prosecutor
City of Plano
900 E. 15th St.
Plano, Texas 75074
(972)941-2056 (972)941-2059 FAX
State Bar No. 24033005

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