

TAT #2005-000,344

(AMENDED NOVEMBER 1, 2024)

IN RE:	§	IN THE DISTRICT COURTS, COUNTY
	§	COURTS AT LAW, AND MAGISTRATE
	§	COURT
	§	OF LUBBOCK COUNTY, TEXAS
	§	99 TH , 137 TH , 140 TH , 364 TH JUDICIAL
DETENTION OF INDIVIDUALS	§	DISTRICTS, COUNTY COURT AT LAW NO.
PENDING FILING OF CHARGES	§	1 AND NO. 2, AND MAGISTRATE COURT

2024 DEC 15 PM 2:35
 BY [Signature]
 DISTRICT CLERK

AMENDED JOINT ORDER REGARDING DETENTION OF INDIVIDUALS PENDING FILING OF CHARGES

WHEREAS, the judges have considered the 2005 Administrative Order Regarding the Detention of Individuals Pending Filing of Charges;

WHEREAS, the judges recognize this Joint Order is the courts' attempt to better manage the jail population of Lubbock County; however, Code of Criminal Procedure § 17.151 serves as the governing statute for a defendant who is detained in jail pending trial;

WHEREAS, pursuant to Code of Criminal Procedure § 17.151(2), the provisions of this order do not apply to a defendant who is:

- 1) *Serving a sentence of imprisonment for another offense while the defendant is serving that sentence;*
- 2) *Being detained pending trial of another accusation against the defendant as to which the applicable period has not yet elapsed;*
- 3) *Incompetent to stand trial, during the period of the defendant's incompetence; or,*
- 4) *Being detained for a violation of the conditions of a previous release related to the safety of a victim of the alleged offense or to the safety of the community under this article.*

IT IS THEREFORE ORDERED an individual detained in jail pending the filing of formal charges will be considered for pretrial release bond or by reducing the amount of bail required, if the State does not file charges on the offense(s) for the which the individual is detained within:

- 1) 45 days from the date of detention if the individual is accused of a felony listed in Code of Criminal Procedure § 42A.054
- 2) 30 days from the date of detention if the individual is accused of any felony other than those excluded by the previous section;
- 3) 15 days from the date of detention if the individual is accused of a Class A misdemeanor

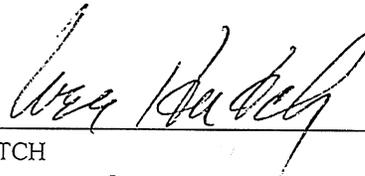
When an individual is detained over the prescribed period of time without charges being filed:

- 1) The Court will notify the State of those who are being considered for release

- a. If the State objects to the release of the detained individual, they shall notify the Court in writing of the specific individual for whom they oppose release as well as the reasons they oppose the release.
- 2) Upon receiving the written objection, the Court shall determine whether to hold a Detention Hearing to allow the State and the Defendant an opportunity to provide justification for continuing detention or releasing the individual.
 - a. If the Court determines a Detention Hearing is not necessary, the Court shall make a determination to continue the detention or release the individual pursuant to this Order.

The Clerk of the Court is hereby directed to record this Order in the minutes of such courts.

SIGNED this 1st day of November 2024.



LES HATCH
237TH DISTRICT COURT
LOCAL ADMINISTRATIVE JUDGE