

Deferred Disposition

IT IS ORDERED that a court clerk may process requests for Deferred Disposition (Deferred) from a defendant, or his attorney, the Court Clerk may complete the paperwork for the Court's signature if the defendant meets the eligibility requirements set forth below. Defendants not meeting the following requirements may present their request for Deferred to the Court by setting the case for Pretrial docket.

A court clerk may process a request for Deferred if the defendant meets the following "Standard Conditions":

The defendant pays in full at the time of the request all court cost and the special expense fee (which is equal to the window fine, and penalty fine, if applicable);

The defendant has not had a case dismissed in Grimes County within twelve (12) months of the date of the request pursuant to Deferred: and

The defendant is not currently on probation in any other jurisdiction.

FOR MOVING VIOLATIONS

A clerk may process a request for Deferred Disposition for moving violations if, in addition to the "Standard Conditions":

The defendant presents proof of valid Driver's License;

The defendant is at least 25 years of age, or if less than 25 years of age agrees to complete a driving safety course or motorcycle operator training and safety program approved by the designated state agency under Chapter 662, Transportation Code.

A clerk may **not** process a request for Deferred for a moving violation if:

The driver holds, or held, at the time of the offense, a Commercial Driver's License;

The offense occurred in a construction or maintenance work zone when workers were present;

The Defendant was involved in an accident resulting in property damage or personal injury;

The offense involves passing a school bus;

The offense involves failing to obey school crossing guard;

The offense involves speeding in excess of 25 mph of the posted speed limit or in excess of 90 mph;

An unresolved warrant remains outstanding for the defendant's arrest.

FOR NON-MOVING VIOLATIONS

A clerk may **not** process a request for Deferred Disposition for non-moving violations if, in addition to the "Standard Conditions".

The offense involves a violation of Chapter 106 of the Alcohol Beverage Code;

The offense involves a violation of Chapter 161 of the Texas Health and Safety Code (Tobacco violations); or

The offense involves a complaint filed under Texas Penal Code Chapters 22 (assaultive offenses) or 31 (Theft);

IT IS ORDERED that the deferral period shall be 90 days, unless otherwise indicated by these orders.

FAIL TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY

A clerk may process a request for Deferred Disposition for the offense of Failing to Provide Proof of Financial Responsibility if , in addition to the "Standard Conditions

mentioned above, the defendant:

presents proof of Financial Responsibility, pursuant to 601, T.C., that is valid on the day of the request;

agrees to maintain, without lapse or interruption, financial responsibility for the entire deferral period;

presents proof of financial responsibility to the Court at the end of the period.

IT IS ORDERED that the deferral period shall be 180 days.

IT IS SO ORDERED on this 9th day of January 2025.

Judge mark Laughlin
Justice of the Peace, Pct.3
Grimes County. Tx