

## DEFERRED DISPOSITION

You may request a citation be dismissed through Deferred Disposition. Deferred Disposition is a method to have your citation dismissed upon the successful completion of a probationary period, usually 90 days but sometimes as long as 180 days depending on the type of case. Deferred Disposition is a privilege, not a right, and it is granted at the sole discretions of the Court through the Judge. The primary requirement of a deferred disposition is that you do not receive another citation while on probation however, the court may impose additional requirements including but not limited to community service, tobacco or alcohol awareness course\*\*\* **IF YOU ARE UNDER 25, YOU MUST COMPLETE A DRIVING SAFETY COURSE AS A CONDITION OF THE DEFERRED DISPOSITION\*\*\***

You must make the request for Deferred Disposition either in person, no later than your appointed court date at the bottom of your citation, or by mail, postmarked no later than the appointment court date. You must enter a plea of "Guilty" or "No Contest" which waives your right to a trial.

### To request in person:

You must come in on or before your Initial Appearance date at the bottom of your citation. You will need to bring a Valid Driver's License plus payment for the full fine. If you need a payment plan, you will need to request that with the court at that time. Fine must be paid in full within the deferral period.

### To request by mail:

You will need to print the attached plea form and request form, fill out and sign both and send back along with payment of fine. You will need to post mark in the mail on or before your Court appearance date.

Mail to:

Gilmer Municipal Court

PO Box 760

Gilmer, Tx 75644

### YOU ARE NOT ELIGIBLE FOR DEFERRED DISPOSITION IF:

**\*\*You have a Commerical Driver's License**

**\*\*You were accused of speeding 25 miles per hour or more above the posted Limit**

**\*\*You do not have a Valid Driver's License**

## DEFERRED DISPOSITION REQUEST

If requesting by mail, the following must be included with your request:

\*Money order for the amount of the fine

\*Copy of Valid Driver's License

\*Completed & signed request form & plea form (below)

**I swear or affirm that the following statements are true:**

\_\_\_ I do not have a Commercial Driver's license (CDL), nor did I have a CDL when I was cited

\_\_\_ I was not charged with exceeding the posted speed limit in excess of 25 miles per hour

**I further understand:**

\*After receiving approval from the Judge, I will receive a copy of my Deferral Order mailed to my address provided below.

\*I will be placed on probation for a period of time to be determined by the Judge (not to exceed 180 days)

\*I must return the signed Deferral Order to the court in a timely manner. If I do not receive the order within a month from the date of this letter, I understand that I am required to contact the court and check status of my case in order to resolve any outstanding matters

\*If I violate any term of my probation, this citation will not be dismissed and a conviction will be reported to the Texas Department of Public Safety.

\*If any part of this form is not filled out completely or truthfully, your request will be denied.

**CITATION#** \_\_\_\_\_

**PRINTED NAME** \_\_\_\_\_

**ATTORNEY NAME (if applicable)** \_\_\_\_\_

**MAILING ADDRESS (print legibly)** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**DAYTIME PHONE** \_\_\_\_\_ **ALT PHONE** \_\_\_\_\_

**DEFENDANT SIGNATURE** \_\_\_\_\_

**ATTORNEY SIGNATURE(if applicable)** \_\_\_\_\_

STATE OF TEXAS

§

CAUSE NUMBER: \_\_\_\_\_  
(Print the citation number)

VS.

§

\_\_\_\_\_  
Defendant (Print your name)

§

OFFENSE DATE: \_\_\_\_\_  
(Print the date of offense)

## PLEA FORM

For the offense of \_\_\_\_\_ I wish to enter a plea of:  
(Print the offense listed on the citation)

☐ **GUILTY/CULPABLE**

I waive my right to a jury trial or hearing by the Court, and agree to pay the fine and costs assessed. I understand that my plea may result in a conviction on either a criminal record or a driver's license record. Furthermore, if I have posted a cash bond, I give my permission to apply my bond towards the fine and costs on the cause number listed above.

☐ **NO CONTEST/CULPABLE**

I waive my right to a jury trial or hearing by the court, and agree to pay the fine and costs assessed. I understand that my plea may result in a conviction on either a criminal record or a driver's license record. Furthermore, if I have posted a cash bond, I give my permission to apply my bond towards the fine and costs on the case number listed above.

☐ **NOT GUILTY/NO CULPABLE**

By Pleading Not Guilty I understand I am no longer eligible for a Driver Safety Course

- ☐ I want a jury trial.
- ☐ I waive my right to a jury trial and request a trial before the Court.

I have read and understand my plea. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Defendant (Sign your name)