

# TELEPHONE CALLS DO NOT CONSTITUTE AN APPEARANCE

## JUDGE ANDREW GARCIA JR.

JUSTICE OF THE PEACE PCT. ONE

P.O. BOX 412

LAMPASAS, TEXAS 76550

TEL. 512-564-1845

FAX 512-564-1696

## COURT COURTESY LETTER

This letter is a furnished as a courtesy to you by Judge Andrew Garcia Jr. to assist you in processing the charges filed against you.

1. PLEASE NOTE: The Judge cannot discuss the merits of a pending judicial proceeding prior to trial. **This means that the Judge cannot discuss your citation with you before the trial.**
2. If you FAIL TO RESPOND to the charges BY THE APPEARANCE DATE SHOWN ON THE CITATION, an additional charge may be filed against you for **Violate Promise To Appear** with warrants issued for your arrest.
3. **A JUVENILE** who fails to appear by the time and date on a citation may have their license suspended as required by law. Juveniles **MUST** be accompanied by a parent or guardian. Juveniles who fail to appear or who fail to pay their fine will be reported to the Department of Public Safety and their driver's license will be suspended. If they do not have a driver's license , they will not be able to obtain one until they have disposed their case.
4. If you wish to **ENTER A PLEA OF GUILTY OR NOLO CONTENDERE**, please indicate in the proper space provided. A plea of Nolo Contendere means that you do not contest the state's charges against you. The fine and conviction for Nolo Contendere is the same as that for a plea of Guilty. Either plea indicates that you agree to waive appearance before the Court for trial.  
Refer to the schedule shown on the reverse side to determine the total amount of fine(s) and costs acceptable by the Court.

### **RETURN A COPY OF THE CITATION AND THIS LETTER WITH YOUR REMITTANCE TO ASSURE PROPER CREDIT.**

5. If you wish to enter a plea of **NOT GUILTY and desire a trial**, advise the Court by checking **#4 on the Reply Form** on or before the appearance date. You will be notified by the Court when to appear for trial.
6. **DRIVING SAFETY COURSE: (HOLDERS OF A CDL ARE NOT ELIGIBLE FOR DSC)**
  - A) You may be able to require that this charge be dismissed by successfully completing a driving safety course. You will lose that right if, on or before your appearance date, you do not provide the court with notice of your request to take the course.
  - B) A CHARGE **MAY** BE DISMISSED BY COMPLETING A DRIVING SAFETY COURSE IF:
    1. You submit your application for the Driving Safety Course (located on the back of this sheet) and it is approved by the Court.
    2. You are charged with a moving violation other than 25 mph above the posted speed limit, passing a school bus, construction zone violations with workers present, or certain offenses involving traffic accidents.;
    3. You have **NOT** taken a Driving Safety Course in the prior 12 months.
    4. You have a **VALID** Texas Driver License **other than a Commercial Driver License** and you provide the court a copy.
    5. You provide proof of liability insurance that complies with state law.
    6. You pay the **\$110.10** in the form of a cashier's check or money order made payable to **LAMPASAS COUNTY**.
    7. After, the Court receives all the items requested, due on or before your appearance date written on your ticket, you will be sent an approval letter stating that you will be given 90 days to complete the following:
      - a. Obtain a copy for your driving record. ( Form will be sent with approval letter)
      - b. Complete a Driving Safety Course that is state approved. ( A list is available at **www.tea.state.tx.us/drive/**)

### **TEXAS DEPARTMENT OF PUBLIC SAFETY: POTENTIAL SURCHARGE NOTICE:**

" A conviction of an offense under a traffic law of this state or a potential subdivision of this State may result in the assessment on your driver's license of a surcharge under the **DRIVER'S RESPONSIBILITY PROGRAM.**"

**Pay by Cashier's Check or Money Order** (payable to Lampasas County)

**PAY by Credit Card** at www.certifiedpayments.net or 1-866-549-1010

Use Bureau Code 2519576

**NO PERSONAL CHECKS ACCEPTED! DO NOT MAIL CASH!**

**SCHEDULE OF ACCEPTABLE FINES:**

<b>SPEEDING (1-19 mph over)</b>	<b>SPEEDING (20 mph and above)</b>
\$7.00 per mile + 100.10	\$200.00 + 100.10

Unsafe Speed-Fail To Control Speed.....	\$300.00
Run Stop Sign-Run Red Light-Fail To Yield Right of Way.....	\$300.00
Illegal-Unsafe or Improper Turn.....	\$300.00
Passing in No Passing Zone-Pass on Right.....	\$300.00
No Driver License- No Motorcycle License* .....	\$200.00
Expired Driver/Motorcycle License-Violate D.L. Restrictions.....	\$200.00
Driving With An Invalid/Suspended License.....	<b>CONTACT OFFICE</b>
Passing a School Bus –Loading or Unloading.....	<b>CONTACT OFFICE</b>
First Offense-No Insurance.....	\$400.00
Subsequent Offense-No Insurance.....	\$1,000.00
No Seat Belt-Driver/Passenger Over 17 Years Of Age.....	\$140.00
Allow Child Under 17 Years Of Age to Ride Unsecured.....	\$140.00
Allow Child Age 0-8 to Ride Unsecured By Safety Belt.....	\$125.00
Defective Equipment-Headlight-Tail Lamp.....	\$230.00
Use Of Equipment Not Approved-WindowTint.....	\$170.00
Expired-No Registration-Vehicle/Trailer* .....	\$130.00
Expired-No Motor Vehicle Inspection-Vehicle/Trailer** .....	\$130.00
Pass Stationary Emergency Vehicle w/o Slowing.....	\$300.00

**FOR ANY CHARGE NOT LISTED ABOVE OR ALL CITATIONS ISSUED IN CONSTRUCTION ZONE W. WORKERS PRESENT – CONTACT COURT**

**\*CHARGES MAY BE DISMISSED UPON PRESENTATION OF A VALID DRIVER'S LICENSE & PROOF OF RENEWAL OF REGISTRATION AND IF A PENALTY HAS BEEN PAID TO THE TAX ASSESSOR COLLECTOR & RENEWED WITHIN 20 WORKING DAYS OR BEFORE THE APPEARANCE DATE. DISMISSAL FEE: \$20.00**

**\*\*CHARGES SHALL BE DISMISSED UPON PRESENTATION OF PROOF OF RE-INSPECTION OF THE VEHICLE WITHIN 20 WORKING DAYS OR BEFORE THE APPEARANCE DATE IF IT HAS NOT BEEN EXPIRED MORE THAN 60-DAYS. DISMISSAL FEE: \$20.00**

**Plea Must Be Made In Writing or In Person On or Before Your Appearance Date**

**A TELEPHONE CALL DOES NOT CONSTITUTE APPEARANCE**

**REPLY FORM**

Enclose a copy of your citation and your driver license with your reply. You are required to keep the court advised of your mailing address until the case is disposed.

Name(as appears on license)\_\_\_\_\_

(PRINT)

Mailing address:\_\_\_\_\_

City\_\_\_\_\_ State\_\_\_\_\_ Zip Code\_\_\_\_\_

Phone Number:\_\_\_\_\_

**COMPLETE either A or B below**

**A. PLEA FORM**

Check One:

- 1. I hereby enter a plea of GUILTY and waive appearance for trial. CASHIER'S CHECK OR MONEY ORDER in the amount of the fine is enclosed payable to Lampasas County.
- 2. I hereby enter a plea of NOLO CONTENDERE and waive appearance for trial. CASHIER'S CHECK OR MONEY ORDER in the amount of the fine is enclosed payable to Lampasas County.
- 3. I hereby enter a plea of NOT GUILTY and request:
  - a. Trial By Judge
  - b. Trial by Jury

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_ (signature of Defendant)

**B. DRIVING SAFETY COURSE APPLICATION**

**I hereby request to take a Driving Safety Course. Enclosed is my notarized request, proof of liability insurance, a copy of my Class C Texas driver's license, and a cashier's check or money order in the amount of \$110.10.**

**My Plea is**     **Guilty**                       **Nolo Contendere**

I certify that I have a **valid Texas driver's license or permit**; that my alleged speed was not **25 mph or more above** the posted limit; that I have not completed a course under CCP Art. 45.0511 within the past 12 months and am not in the process of taking such a course; and that I have not completed a course under CCP Art. 45.0511 which is not reflected on my driving record. I understand that I will be charged court costs and a dismissal fee and that these fees are non-refundable and must be paid to the court on or before my appearance date. I understand that I am not eligible for the Driving Safety Course unless I provide Proof of liability insurance as required by Texas Motor Vehicle Safety-Responsibility Act.

\_\_\_\_\_ (Defendant Signature)\_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(print name)

Acknowledged and signed before me

\_\_\_\_\_  
Notary Public of the State of Texas