

CITY OF DUNCANVILLE MUNICIPAL COURT OF RECORD

STANDING ORDER NO. 3

DEFERRED DISPOSITION

IT IS ORDERED that a clerk may process Deferred Disposition requests received in person, by mail or electronic means from a Defendant. The clerk may complete the paperwork for the Judge's signature if the Defendant meets the eligibility requirements set forth in this order. Defendants who do not meet the eligibility requirements may present their request for Deferred Disposition by setting the case on the docket.

QUALIFICATIONS

A Defendant is eligible for Deferred Disposition if:

1. the Defendant has not successfully completed a Deferred Disposition on a similar charge in the City of Duncanville in the 12 months prior to the offense date. Time is measured from the completion date of the prior offense to the offense date of the current offense;
2. the Defendant presents proof of a valid driver's license (not restricted to Texas);
3. the Defendant pays all court costs and fees in full within 30 days of the request;
4. on a moving violation, if the Defendant is under the age of 25 years, they agree to complete a driving safety course approved under Chapter 1001, Texas Education Code;
5. for a Driver's License violation, the Defendant presents proof of a valid driver's license at the time of the request; or
6. for an Insurance violation, the Defendant presents proof of financial responsibility at the time of the request and maintains financial responsibility for the entire deferral period.

DISQUALIFICATIONS

A Defendant is not eligible for Deferred Disposition if:

1. the Defendant is the holder of a Commercial Driver's License;
2. the offense occurred in a construction or maintenance work zone when workers are present;
3. the Defendant was involved in an accident resulting in property damage or personal injury;
4. the offense involves passing a school bus;
5. the offense involves failing to obey a school crossing guard;
6. the offense involves speeding in excess of 25 mph or more over the posted speed limit or in excess of 85 mph;
7. the offense is a Penal Code offense;
8. the offense involves a violation of the Alcoholic Beverage Code;
9. the offense is for Driving Under the Influence pursuant to 106.041 of the Texas Alcoholic Beverage Code;
10. the offense involves violations of Chapter 161 of the Texas Health and Safety Code (Tobacco Violations);
11. the case is in Warrant status.

IT IS FURTHER ORDERED that the final disposition shall be deferred for 90 days on all offenses except for Fail to Maintain Financial Responsibility which shall be deferred for 180 days.

IT IS ORDERED that if the Defendant fails to comply with all requirements of the Deferred Disposition, the case will be set for a "Show Cause" hearing.

SIGNED AND ENTERED on this the 1st day of February, 2019.

JBRizo

John Rizo, Presiding Judge