

HOW TO REQUEST DEFERRED DISPOSITION (PROBATION)

You may be eligible to request Deferred Disposition (probation) if:

- You did not possess a Commercial driver's license at the time of the offense.
- If you are not currently on probation in another court and you have not been on probation in the last year.
- You have not been charged with an offense committed in a construction work zone when workers are present.
- Your violation did not involve an accident

You are NOT eligible for Deferred Disposition if you were SPEEDING 25 miles an hour over the limit or if you were traveling in excess of 80 miles per hour.

This procedure requires a plea of "guilty" or "no contest" to the offense with which you are charged and the payment of court costs.

You will be placed on probation for a period not to exceed 180 days, during which time you will be required to comply with certain specified conditions of probation.

If you are younger than 25 years of age and charged with a traffic offense classified as a moving violation, you must complete a driving safety course approved by the Texas Education Agency, and if you hold a provisional license, you must also take or re-take the examination required by Department of Public Safety for all driver's license applicants to demonstrate your ability to exercise ordinary and reasonable control in the operation of a motor vehicle. You are required to pay a \$10.00 fee to the Department of Public Safety for this examination. You may also be required to complete an additional four hour live, interactive driving safety course focusing on issues specific to drivers younger than 25 years of age.

If you timely present satisfactory evidence that you have complied with the requirements of probation, the Municipal Judge will dismiss the case and there is no final conviction. You may be required to pay a special expense and be prepared to pay that expense at the time of the request.

If you do not comply with the terms of the probation, the Municipal Judge will impose the fine assessed and a final conviction.

If you are eligible, you may request Deferred Disposition by appearing at the Court on or before your court appearance date or by mailing in the following items to the Court:

- Pay required fee (If you are not sure what the fee is, please contact the court to ask)
- A copy of your valid Texas driver's license (copy must be readable!)
- A copy of your valid proof of insurance (must show you as a covered driver)
- The completed Deferred Disposition Request Form, which HAS to be witnessed by a Notary (See link below)

ONCE APPROVED BY THE MUNICIPAL JUDGE, THE COURT CLERK WILL MAIL FURTHER INSTRUCTIONS.

SWORN REQUEST FOR DEFERRED DISPOSITION PROBATION

“My name is _____ and I understand that I may be eligible to have my ticket dismissed by successful completion of Deferred Disposition Probation (“Deferred”) in lieu of a conviction. I understand that I must make this request **on or before the date listed on my citation** and that I must meet all the eligibility requirements and comply with all probation conditions before my case will be dismissed. I also understand that Deferred is granted in the sole discretion of the Court. I do not hold a commercial driver’s license.”

“I swear the following statements are true and correct:

1. I waive my right to a trial and my right to appeal and enter a plea of **No Contest**. I was charged with an offense eligible for Deferred and I have verified this fact with the court.
2. I was not charged with speeding in excess of 80 mph or with speeding in excess of 30 mph over the posted speed limit in a school zone.
3. I agree to pay a special expense fee of \$_____ at the same time I am making this request. I have contacted the Ponder Municipal Court at (940) 479-2396 to ascertain the amount of the special expense fee.
4. I am enclosing a copy of my valid driver’s license. (Copy **MUST** be clear)
5. I have not been granted Deferred in Ponder in the past 12 months and I am not currently on Deferred in another court.
6. If I am charged with failing to provide proof of financial responsibility, I will provide a sworn affidavit establishing that I maintained, without lapse, financial responsibility, as defined by 601.051 T.C. during the entire deferral period at completion of my probation period.
7. After receiving approval from the Court, I understand I will receive a copy of my probation order mailed to me at the address listed below. I understand that I will be placed on probation for a period not to exceed 180 days and that if I violate any term or condition of Deferred, this citation will not be dismissed and a conviction will be reported as required by law.

Defendant’s Signature _____

Mailing Address _____

Sworn to and subscribed before me by the above-named Defendant on this the _____ day of _____, 20_____.

Notary Public State of Texas

WARNING!
Insufficient requests will be denied and returned.
If you are not making this request in person a Notary Public MUST sign this form.

PONDER MUNICIPAL COURT
405 Shaffner Street, Ponder, TX 76259
(940)479-2396