

**TELEPHONE CALLS DO NOT CONSTITUTE APPEARANCE**

SPECIAL INSTRUCTIONS FOR JUVENILES: See box at bottom of this page

**SCHEDULE OF ACCEPTABLE FINES**

**Speeding:** Court Cost \$134.00 plus .90 moving violations for each citation.

1. \$5.00 per mile for each mile over the posted limited speed limit, up to 25mph over speed limit;
2. \$200.00 for 25mph or more over posted speed limit;
3. \$200.00 for Commercial Driver's License (CDL) driving 15 mph or more over posted speed limit.

| MOVING VIOLATIONS   |       | OTHER VIOLATIONS, Continued  |           |
|---|-------|--|-----------|
| Disregard No Passing Zone   | \$200 | <b>Fail to Display Drivers' License (DL)</b>   | \$161     |
| Disregard Stop Sign   | \$197 | With Proof of valid DL at time of Citation,<br><b>Dismissed with Administrative Fee</b>  | \$20      |
| Disregard Traffic Device  | \$197 |  |           |
| Driving on Wrong Side of Road   | \$197 | Failure to Appear  | \$269     |
| Fail to Control Speed w/Accident  | \$297 | <b>Failure To Maintain Financial Responsibility (FTMFR)</b>  | \$378     |
| Fail to Drive in Single Lane  | \$197 | With proof of valid coverage at date and time of<br>Citation, Dismissed-   | NO CHARGE |
| Fail To Report Accident   | \$297 |  |           |
| Fail to Yield Right of Way  | \$197 |  |           |
| Fail to Yield Right of Way w/Accident   | \$297 | No Liability Insurance /FTMFR (2 <sup>ND</sup> )   | \$861     |
| Following too closely   | \$197 | No Liability Insurance /FTMFR (3 or more)  | \$1061    |
| School Bus Violations   | \$614 | Illegal Dumping  | \$361     |
| Unsafe Lane Change  | \$197 | Littering  | \$161     |
| Unsafe Speed w/ Accident  | \$297 | Making Alcohol or Tobacco available to a Minor   | \$261     |
| OTHER VIOLATIONS  |       | <b>Minor in Possession of Alcohol or Tobacco: Contact Court</b>  |           |
|   |       | No Driver's License  | \$261     |
| Altered Driver's License  | \$261 | No Motor Vehicle Insurance (MVI)   | \$161     |
| Consuming Alcohol while Driving   | \$261 | Open Container   | \$281     |
| Criminal Mischief   | \$261 | Payment Plan (Time Payment) Fee  | \$15      |
| Disorderly Conduct  | \$261 | Permit Unlicensed Driver to Drive  | \$261     |
| Driving Under Influence by Minor  | \$561 | Public Intoxication  | \$261     |
| <b>Expired Driver's License</b>   | \$161 | Seat Belt Violations   | \$161     |
| With Proof Correction on or before court date,<br><b>Dismissed with Administrative Fee</b>  | \$20  | Unsecured Child 15 and Under   | \$261     |
|   |       | <b>Violation of Curfew Ordinance:</b>  |           |
| <b>Expired MVI Certificate</b>  | \$261 | 1 <sup>st</sup> Offense  | \$161     |
|   |       | 2 <sup>nd</sup> Offense  | \$261     |
| Expired less than 60 days with Proof of Correction on or<br>before Court Date, Proof of Late Fee to Tax Collector/<br>Assessor Paid, <b>Dismissed with Administrative Fee</b> | \$20  | Violate DL Restriction   | \$161     |
|   |       | Violate Promise to Appear  | \$297     |
| Fail to Report Address Change   | \$161 | Warrant Fee  | \$50      |
| <b>SPECIAL INSTRUCTIONS FOR JUVENILES</b>   |       |  |           |
| With Proof Correction on or before court date, <b>Dismissed with Administrative Fee</b>   |       | If you are 16 years of age or younger, you <b>MUST</b> appear in person accompanied by a parent or legal guardian. (Please contact the Court on or before your appearance date to set up a time for Court) |           |
| City Ordinance "Parks Order" or "Parking Order"   |       | \$200  |           |
| FOR VIOLATIONS NOT LISTED PLEASE CONTACT THE COURT  |       |  |           |
| Telephone: (512) 357-6700   |       |  |           |

**PLEASE READ BELOW BEFORE FILLING OUT FRONT OF THIS FORM**

**Plea of Guilty** – By a plea of guilty, you admit that the act is prohibited by law, that you committed the act charged, and that you have no defense or excuse for your act.

**Plea of Nolo Contendere (No Contest)** – A plea of nolo contendere means that you do not contest the State's charge against you. You will almost certainly be found guilty, unless you are eligible and successfully complete a driving safety course and/or court ordered deferred disposition (probation). Also, a plea of nolo contendere cannot be used against you in a subsequent suit for damages.

**Plea of Not Guilty** – A plea of not guilty means that you are informing the Court that you deny guilty or that you have a defense in your case, and that the State must prove what it has charged against you. If you plead not guilty, you will need to decide whether to hire an attorney to represent you. You will also need to decide whether you request a trial by Judge or by Jury. It is likely that you will be scheduled for a Pretrial Conference to discuss your case with the Prosecutor before a trial is scheduled.

**IF YOU HAVE ANY QUESTIONS CALL OFFICE DURING BUSINESS HOURS.**

MARTINDALE MUNICIPAL COURT

Judge Anthony J. Fusco

P.O. Box 365 Martindale, Texas 78655

PHONE (512) 357-6700 • FAX (512) 357-9017

MONDAY-TUESDAY 9:00 A.M. - 5:00 P.M. CLOSED WEDNESDAY, THURSDAY & FRIDAY

You must respond in writing by mail or by fax to the charge(s) against you by the appearance date shown on the citation (ticket). Phone calls DO NOT constitute an appearance. If you fail to respond, an additional charge will be filed against you for failing to appear and an arrest warrant can be issued and you may be denied renewal of your driver's license.

Should your appearance date fall on a day the Court is closed your filing will be accepted on next business day.

PLEASE NOTE: The judgment and sentence for the offense you are charged is the payment of a fine and cost. If ordered to pay a fine and costs, and you cannot pay, notify the court immediately. If you are determined by the court to have insufficient resources or income to pay, the court is required to provide you other ways to discharge the fine and costs.

The Judge prefers written correspondence and will typically not speak with defendants over the phone or without an appointment. The Judge and court staff cannot ethically discuss the merits or the facts and circumstances surrounding your citation nor provide legal advice. Ethically, the Judge can only give you your rights and options under the law and take your plea. If you wish to discuss the facts and circumstances involved with your citation, you may plead not guilty and we will set your case for trial.

PLEA FORM: Indicate your plea to the charge(s) on your citation and deliver this form to the Court in person, by fax or mail. Mail must be postmarked on or before your appearance date. Faxes must be received by 5:00 pm on your appearance date. Please read the plea definitions on the back of this page before making your plea. If you are charged with a single moving violation, you may be eligible to take a driving safety course to have the charge dismissed (see requirements below).

CITATION NUMBER: \_\_\_\_\_

I plead GUILTY to the charge(s) of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. I waive my right to trial. See Payment Methods Information below.

I plead NOT GUILTY to the charge(s) of \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. I request a trial by \_\_\_\_\_ Judge \_\_\_\_\_ Jury. You will be contacted by the Court with a date for your Pretrial Conference. I further understand by requesting a trial by judge I waive my right to Jury Trial.

I plead NO CONTEST to the charge(s) of \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. and waive my right to trial. See Payment Methods Information below.

I plead NO CONTEST to the charge of \_\_\_\_\_. I have read the Driver's Safety Requirements below and request the charge be dismissed upon completion of a Driving Safety Course. I certify, by signing below, that I meet the eligibility requirements and have enclosed a copy of my Driver's License, Insurance Paperwork and the fee amount of \$144.00 (if in school zone fee is \$169.00) (by money order or Cashier's check). I understand that I will be required to complete the course and submit proof of completion to the Court within 90 days.

Driving Safety Course Dismissal Eligibility:

- 1) You must submit a copy of your Valid Texas Drivers License and Proof of Insurance;
2) You must not have taken a driving safety course in the last 12 months to get a citation dismissed;
3) You must not have a CDL license, and
4) The charge(s) against you must not be Speeding 25 mph or more over limit; speeding in a construction zone where workers are present, or passing a school bus. The Judge will make the final determination of your eligibility. Do not take the class until you receive paperwork from the Court.

Payment Methods: The Court accepts money orders, cashier's checks, and Visa/MasterCard. We do not accept cash, personal checks, American Express, or Discover Card. There is a 5% credit card fee for payments under \$100. Payments over \$100 will be charged \$5.

Indicate your choice of payment method: If you have entered a plea of not guilty, no payment is due at this time.

Payment enclosed (money order/cashier's check). Payable to: Martindale Municipal Court

Credit card - After you have submitted your plea form, call the Court at (512) 357-6700 to provide credit card information

I request 30 days from my appearance date to pay (does not apply to DSC payments). I promise to appear and make payment within the 30 day period. I have read and understand the warnings at the top of this form regarding Failure to Appear.

I request an installment agreement. A Pay Plan Application will be mailed to you.. A \$15.00 State fee is added per charge if the fine is not paid within 30 days. If the Judge approves your installment request, a down payment is required as indicated on the agreement that is mailed to you. You must sign and immediately return the agreement to the Court with this down payment by money order or cashier's check.

You must sign this form for your plea to be accepted. If you have questions please contact the Court before signing

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Driver's License State/ and # \_\_\_\_\_ / \_\_\_\_\_ Phone \_\_\_\_\_ Date: \_\_\_\_\_