

CAUSE NUMBER: \_\_\_\_\_

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF LAVON
_____	§	COLLIN COUNTY, TEXAS

I, the undersigned, understand that I have been charged by citation or complaint with a class C misdemeanor offense in the above Court and Cause. **I have read and understand my rights as described on the reverse side of this Plea form. If I am in detention, I understand that by entering any of the following pleas I will be released, unless I am also being detained on other pending charges, and that I have received a copy of this Plea form.** I understand that if I do not enter a plea, a Not Guilty Plea will be entered for me. I understand that I have a right to a trial either before a Jury or before the Judge. Knowing and understanding all of the forgoing, I provide my current correct physical address, phone number, and email as contact information below, and I do hereby enter my appearance on the complaint of the following charged offense:

\_\_\_\_\_ ; and I enter the following Plea:

**Plea of Guilty**

I, the undersigned, do hereby **plead guilty** to the offense as charged, **waive** my right to a jury trial or hearing by the Court, and **agree to pay** the fine and costs as the judge assesses. I understand that if I fail to pay the fine and costs or contact and make other arrangements with the Court within 30 days, a Capias Pro Fine Warrant may issue for my arrest; that my plea may result in a conviction appearing on either a criminal record or a driver's license record; that payment of the fine finalizes this matter; and that Judgment by the Court disposes of my case.

**Plea of Nolo Contendere**

I, the undersigned, understand that my signature on this **plea of nolo contendere** (meaning "no contest") will have the same force and effect as a plea of guilty on the judgment of the Court. I do hereby **plead nolo contendere** to said offense as charged, **waive** my right to a jury trial or hearing by the Court, and **agree to pay** the fine and costs as the judge assesses. I understand that if I fail to pay the fine and costs or contact and make other arrangements with the Court within 30 days, a Capias Pro Fine Warrant may issue for my arrest; that my plea may result in a conviction appearing on either a criminal record or a driver's license record; that payment of the fine finalizes this matter; and that Judgment by the Court disposes of my case.

**Plea of Not Guilty**

I, the undersigned, do hereby **plead not guilty** to the offense as charged. I promise to appear, in person, in the City of Lavon Municipal Court on any date for which this case is scheduled for a Pre-Trial Hearing, Conference or for Trial before this Court. I understand that if I do not appear any time I am required to appear for this case, a Failure to Appear charge may be filed and warrants may be issued for my arrest.

I do hereby request the amount of the fine assessed and the amount of appeal bond that the Court will approve.

I have been detained in jail and do hereby request credit for time served against the fine and costs assessed.

I do also request to be considered for alternate sentencing such as deferred disposition or drivers safety course.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Home Telephone Number

\_\_\_\_\_  
Home Address

\_\_\_\_\_  
Work Telephone Number

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Cell Telephone Number

**Note:** Effective September 1, 2019, if a defendant is charged with an offense involving family violence, the judge or justice must take the defendant's plea in open court. Art. 45.0211, C.C.P.

**LAVON MUNICIPAL COURT PLEA INFORMATION: Know Your Legal Rights and Obligations:**

The United States and Texas constitutions acknowledge and provide for certain rights for anyone who comes into the court or justice system. The goal of our courts is to provide for a fair and impartial system where everyone has access to equal justice under the law. Everyone is entitled to be treated fairly and with respect and dignity. Court proceedings are public and handled in an orderly way. If you come to Court, you are obligated to observe rules of proper behavior without disruption as well as rules of Court procedure. (The Local Rules of the Lavon Municipal Court are available online.)

Municipal Court proceedings are either statutory Class C Misdemeanor criminal cases or Ordinance Violation cases which may be either criminal or civil cases.

In all criminal cases you are presumed innocent until proven guilty by the prosecution beyond a reasonable doubt. You have the constitutional and due process rights to notice of the charge, an opportunity enter a plea and to be fairly heard, a right to an attorney, a right to a fair trial before the judge or the jury, a right to present evidence and witnesses in your behalf and to confront and cross examine witnesses presented by the prosecution. You also have the right to remain silent and you cannot be compelled to testify against yourself. A parent or guardian must appear with the defendant in all juvenile cases. There is no right to an appointed attorney in Class C Misdemeanor criminal cases, but you may hire a lawyer.

In civil cases the prosecution has the burden of proof by a preponderance of the evidence – meaning; more likely than not. You also have the due process and constitutional rights to notice and to a fair hearing. You have a right to an attorney, a right to a fair trial before the judge or jury, a right to present evidence and witnesses in your behalf and to confront and cross examine witnesses presented by the prosecution. There is no right to an appointed attorney in any civil cases, but you may hire a lawyer.

The punishment for criminal and Class C Misdemeanor cases can be a fine, court costs, fees and possible restitution, all of which is due when the sentence is pronounced. In some cases the fines may range up to \$2,000 for each individual offense. If you cannot pay the full amount, you may request and, if qualified, receive a reasonable extension to pay. You may also qualify for alternate sentencing or disposition such as a driver’s safety course or deferred disposition or deferred adjudication. If you are indigent, you will need to apply for indigency determination and the Court may order alternate sentencing or community service in lieu of payment. **You may also request and receive credit for jail time served after this charged offense. If you are in detention and you are not also being held on other charges, you may enter a plea and be released for time served or released on your own recognizance, to appear in court as notified.** There is no provision in Texas law to simply “lay out in jail” to satisfy a fined offense.

The punishment for civil ordinance violations can be judgments and orders for payment of penalties, fees, court costs, possible performance of corrective action, the imposition of liens, and the revocation of certain licenses or permits. In such civil cases there is no right to an extension to pay, indigency determination, community service or jail credit.

You are obligated to appear in Court when summoned, noticed or as ordered. If you fail to appear, pay your fine or otherwise fail to comply with the courts order in criminal cases, a further consequence may include an additional charged violation, issuance of a show cause order, a summons, a capias pro fine, or the issuance of a warrant for your arrest. If you fail to appear or pay the penalty or otherwise fail to comply with the courts order in civil cases, a default judgment can be taken against you, liens may be imposed and executed on your property, and licenses or permits may be revoked.

**If your case is continued, unless the Court instructs otherwise, you are ordered to and must reappear when the case is rescheduled. Failure to appear may result in additional charges or arrest warrants being issued. In all cases you have an opportunity to negotiate a plea bargain with the prosecuting attorney. In all cases, you have the right to appeal a final judgment from the trial Court to the Collin County Court at Law.**

.....

**This Plea by the defendant named on the reverse of this form to the charged offense in this cause has been processed by the below authority and transmitted to and for acceptance by the City of Lavon Municipal Court.**

\_\_\_\_\_  
Authority Date  
\_\_\_\_\_

*For Court Use Only:* Acknowledged/Accepted:  
.....  
.....  
.....