



JUSTICE COURTS OF REFUGIO COUNTY

ROBERTA SHIPP FAGAN
JUSTICE OF THE PEACE, NO. 1
808 COMMERCE ST, RM 111
REFUGIO, TX 78377
OFFICE: (361)526-4877 FAX: (361)526-1494
WWW.CO.REFUGIO.TX.US

**** PLEASE READ THIS LETTER BEFORE CALLING ****

This letter is furnished as a courtesy to you by the Justice Courts of Refugio County, Texas to assist you in making disposition of the charge filed against you. **PLEASE NOTE: A TELEPHONE CALL IS NOT AN APPEARANCE; AN APPEARANCE IN COURT IS ONLY BY CERTIFIED MAIL, IN PERSON OR BY YOUR ATTORNEY. THE JUDGE CANNOT DISCUSS THE MERITS OF PENDING JUDICIAL PROCEEDINGS PRIOR TO TRIAL** (Canon 3(5) Code of Judicial Conduct).

***** WARNING *****

FAILURE TO RESPOND TO THE CHARGE(S) BY THE APPEARANCE DATE SHOWN ON YOUR CITATION MAY RESULT IN AN ADDITIONAL CHARGE OF "FAILURE TO APPEAR." THE COURT MAY ALSO DENY RENEWAL OF YOUR DRIVER'S LICENSE. JUVENILES: IF YOU ARE SIXTEEN (16) YEARS OF AGE OR UNDER THE "FINE SCHEDULE" LIST DOES NOT APPLY TO YOU. YOU MUST APPEAR WITH YOUR PARENT, LEGAL GUARDIAN OR ATTORNEY. A JUVENILE WHO FAILS TO APPEAR BY THE TIME AND DATE ON YOUR CITATION MAY HAVE THEIR LICENSE SUSPENDED AS REQUIRED BY LAW.

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 charge(s) against you. The fine for a nolo contendere plea is the same as that for a plea of guilty. Either plea indicates that you agree to waive appearance before the court of trial. **A PLEA MUST BE ENTERED WITH PAYMENT.**

If you wish to enter a plea of "NOT GUILTY" and desire a trial, you must so indicate in the proper space provided. If you enter a plea of "NOT GUILTY", you must appear before the Court. You must return this letter and a copy of the citation no later than the **APPEARANCE** date shown on the citation. You shall be notified by return mail of the court date set for your hearing. You have the right to a trial by jury, if you so request.

Driving Safety Course: Under the laws of the State of Texas, you may be able to have this (one) charge dismissed by taking a driver safety course: **HOWEVER**, you lose that right if you do not provide written notice to the court to do so on or before your appearance date (as shown on your citation). If you wish to use this option to have this citation dismissed, read and complete the request form on the reverse side and return it to the Court with the required fee and proof of insurance on or before your appearance date. You will have 90 days from the date of request to provide the Court with the required documentation showing successful completion of an approved Driving Safety Course.

Thank You,

ROBERTA SHIPP FAGAN
JUSTICE OF THE PEACE, NO. 1
REFUGIO COUNTY, TEXAS

A CONVICTION OF AN OFFENSE UNDER A TRAFFIC LAW OF THIS STATE OR POLITICAL SUBDIVISION OF THIS STATE MAY RESULT IN THE ASSESSMENT ON YOUR DRIVER'S LICENSE OF A SURCHARGE UNDER THE DRIVER RESPONSIBILITY PROGRAM.

REPLY FORMS

Mail to Justice Court on the front of letter **BY** the **APPEARANCE DATE** on the citation.
Enclose a self-addressed stamped envelope if you need a receipt.

CHECK ONE OF THE FOLLOWING:

- 1. _____ I Hereby enter a plea of **GUILTY** and waive appearance at trial. A **CASHIER'S CHECK, COMPANY CHECK** or **MONEY ORDER** in the amount of fine(s) is enclosed.
- 2. _____ I Hereby enter a plea of **NOLO CONTENDERE** and waive appearance at trial. A **CASHIER'S CHECK, COMPANY CHECK** or **MONEY ORDER** in the amount of fine(s) is enclosed.
- 3. _____ I Hereby enter a plea of **NOT GUILTY** and waive my right to a jury trial. I request a trial by judge.
- 4. _____ I Hereby enter a plea of **NOT GUILTY** and request a jury trial.

DATE: _____ SIGNATURE: _____
 CITATION # _____ PRINT NAME: _____
 DRIVER'S LICENSE NO: _____

Detach here & mail with fine or not guilty plea to the court indicated on the reverse

REQUEST FORM FOR DRIVING SAFETY COURSE

FAILURE TO REMIT THIS FORM ON OR BEFORE YOUR APPEARANCE DATE WILL RESULT IN INELIGIBILITY FOR THE COURSE

CHECK ONE OF THE FOLLOWING:

I Hereby enter a plea of _____ **NO CONTENDERE** _____ **GUILTY**

This is my written request to take the "DRIVER'S SAFETY COURSE"

You are not eligible for DSC option if:

- a. *You were speeding 25 MPH or more above the posted speed limit*
- b. *Your speed was 95 mph or more*
- c. *Your offense occurred in a construction zone with workers present*
- d. *You are a commercial driver's license (CDL) holder or at the time the offense was committed*

FOLLOW ALL THE STEPS BELOW:

- A. Enclosed a **NON-REFUNDABLE** fee of \$146.00 or \$171.00 if in a school zone in form of **cashier's check or money order**
PAYABLE TO: JUDGE ROBERTA SHIPP FAGAN, JUSTICE OF THE PEACE, NO. 1
- B. My Texas driver license number is _____ (**COPY MUST BE INCLUDED**) or proof of active duty military service or if possess a non-Texas driver license (a photocopy is acceptable) **NO ORIGINAL PLEASE!**
- C. I hereby enclose proof of financial responsibility (liability insurance). **MUST BE INCLUDED**
- D. I affirm that I have not taken a Driver's Safety Course in the previous 12 month period and I am not currently enrolled in one.
- E. If I qualify for the DSC option, I understand I have 90 days from my request date to:
 - a. Submit proof of completion of a Driving Safety Course approved by the Texas Department of Public Safety
 - b. Submit to the court a certified copy of my driving record which may be obtained by submitting the application the Court will mail me to Austin with proper fee as required by law OR I may obtain my record online at: **https://www.txdps.state.tx.us/internetforms/forms/dr-1.pdf**
- G. I understand that this form must be notarized (if you are mailing the request to the court)
- H. **I have enclosed a self-addressed stamped business size envelope** that will be returned to me with my orders.

I certify that I have a valid Texas driver's license or permit; that the alleged speed was not 25 mph or more above the posted limit or 95 mph or above; 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 am not eligible for the Driving Safety Course unless I provide proof of liability insurance as required by Texas Motor Vehicle Safety-Responsibility Act.

DATE: _____ SIGNATURE: _____
 PRINT NAME _____ ADDRESS: _____

SWORN TO AND SUBSCRIBED BEFORE ME this the _____ day of _____, 20_____.

(SEAL)

Notary Public

