

NO. _____

THE STATE OF TEXAS

§

THE COUNTY COURT AT LAW

VS.

§

OF

§

MCLENNAN COUNTY, TEXAS

ORDER DEFERRING ADJUDICATION
(Plea of Guilty or Nolo Contendere)

The Defendant, charged with the misdemeanor offense of _____, as alleged in the Information herein, appeared in person and with counsel, or voluntarily waived counsel, and the State appeared by her Assistant Criminal District Attorney, and all parties announced ready for trial. The Defendant was arraigned in open court on the charges contained in the Information, and pleaded GUILTY or NOLO CONTENDERE. A jury and a record were waived by all parties, and trial proceeded before the Court. The Defendant made application for deferred adjudication community supervision. Considering Defendant's plea and all evidence submitted, the Court finds that such evidence substantiates the Defendant's guilt, and that the best interest of society and the Defendant will be served by deferring further proceedings without entering an adjudication of guilt, and placing the Defendant on community supervision.

IT IS THEREFORE ADJUDGED and ORDERED by the Court that the proceedings be and are hereby deferred without an adjudication of guilt, and the Defendant is released on his/her own recognizance under supervision of the Court through the McLennan County Community Supervision and Corrections Department ("Department") for a period of _____ months, subject to the following terms and conditions of community supervision, beginning on the date of the signing of this Order and ending upon Defendant's discharge from community supervision or until the date community supervision is revoked by the Court, whichever is later. *The filing of a motion to adjudicate guilt does not terminate or suspend the requirements of this order!*

Defendant is ORDERED to comply with sections 1 through 16 as follows, and with sections 17 and 18 as designated herein by the Court. Defendant shall:

1. Commit no offense against the laws of this state or of any other state, or of the United States;
2. Report immediately to the Department and thereafter, as directed by the Court or the supervision officer, at least once each month, and obey all rules and regulations of the Department;
3. Remain within McLennan County, Texas, unless permitted to leave McLennan County, Texas, by the Court or by the Department, unless supervision is transferred. The Court authorizes the transfer of supervision to _____ County, Texas, (*subject to Department approval*) or to the State of _____, (*subject to Department and Interstate Compact approval*). If transfer of the Defendant's supervision is approved, Defendant shall remain within such County/State unless permitted to leave that County/State by this Court or by the supervision officer;
4. Obtain the Department's permission prior to changing Defendant's residence, and report any change of employment or employment status to the Department within 72 hours
5. Obtain and/or produce to the Department a valid, current Texas Department of Public Safety driver's license or photo identification within thirty (30) days from this date, and maintain the same throughout the community supervision term;
6. Permit the Department's officers to visit the Defendant at home, at work, or elsewhere, at any time;
7. Work faithfully at employment suitable to the Court and the Department, as far as possible, and attend and complete any probationer employment program as directed by the Department;
8. Avoid persons or places of disreputable or harmful character;
9. Avoid injurious or vicious habits, avoid the excessive use of alcoholic beverages, and avoid the unlawful use of drugs, narcotics or any other controlled substance;
10. Provide the Department with a high school diploma or its equivalent or prove skill level of students who have completed 6th grade in public schools in this state;
11. Attend the first available community supervision orientation seminar and complete the seminar within 30 days after it begins;
12. Submit to and pay the fee for **drug, controlled substance and alcohol testing** as directed by the Department;
13. Support Defendant's dependents;
14. Pay a deferred adjudication fee of \$ _____ at the rate of \$ _____ per month until paid in full;
15. Pay all costs of Court at the rate of \$ _____ per month until paid in full;
16. Pay a fee of **\$55.00** per month to the Department during the community supervision period. **WAIVED (only if initialed)** _____

(Unless otherwise stated, any ordered payment is due beginning within 30 days as determined by the Department)

17. Defendant shall perform the following conditions of community supervision, as indicated:
 - _____ a. Begin, pay the fee for, and successfully complete the first available _____ **DWI**, _____ **DWI repeat offender**, or _____ **Drug** education program, as directed by the Department, within 180 days;
 - _____ b. Attend _____ **Alcoholics Anonymous** _____ **Narcotics Anonymous** meetings at least _____ times per _____ week / _____ month, and provide verification of attendance to the Department;
 - _____ c. Enroll in, pay the fee for, and attend a **DWI/Drug Victim Impact Panel** program approved by the Department, and provide proof of attendance to the Department, within sixty (60) days;
 - _____ d. Submit to an **alcohol/drug screening and/or evaluation** administered by the Department within 30 days, pay for the screening and/or evaluation within 180 days, and complete any recommended treatment program(s);

- _____ e. Pay **restitution** in the amount of \$ _____ through the Department in favor of _____ **the DA Hot Check Dept. (see attached) OR** _____ at the rate of \$ _____ per month until paid in full;
- _____ f. Obtain and maintain at least the minimum limits of liability insurance for any motor vehicle operated by the Defendant as required by Texas law, and provide the Department with written proof;
- _____ g. **Abstain** from consumption of any alcoholic beverage;
- _____ h. **Serve** _____ **days OR** _____ **hours** in the McLennan County Jail within _____ days of this order, as directed by the Department, but in accordance with the provisions, if any, indicated below:
 _____ **Consecutive days and nights; details:** _____
 _____ **Weekends; details:** _____;
- _____ i. Remain in the Defendant's residence every day between the hours of _____ **p.m.** and _____ **a.m.**;
- _____ j. Report **weekly** to the Department as directed by the supervision officer for _____ weeks;
- _____ k. Successfully complete the following program(s) under the direction and supervision of the Department, as indicated, and pay the fee for such program(s), within _____ months:
 _____ **Batterers Intervention and Protection Program (BIPP)**
 _____ **Non-Intimate Partner Violence Program (NIPVP)**
 _____ **MHMR Counseling** _____ **Cognitive Education** _____ **Parenting Class** _____ **Financial Planning**
- _____ l. Complete _____ hours of **community service**, in a Department approved community based program, within _____ months, at a minimum rate of _____ hours per month, _____ concurrent (if checked) with _____;
Exceptions: _____ 1. Defendant is physically or mentally incapable; _____ 2.. will work a hardship on Defendant; _____ 3. Defendant is in a substance abuse facility as a condition of community supervision.
- _____ m. Pay the sum of \$ _____ to the Department for compensation paid to **court-appointed counsel**, at the rate of \$ _____ per month until paid in full;
- _____ n. Pay the sum of \$ _____ to the Department for compensation paid to **court-appointed interpreter**, at the rate of \$ _____ per month until paid in full;
- _____ o. Begin and successfully complete the **McLennan County DWI/Drug Court Program** as more fully set out in the Agreement of Participation, (Appendix 5);
- _____ p. Avoid any association or contact with the following person(s) and/or remain away from the following premises: _____;
- _____ q. Pay one payment of **\$50.00** to Waco Crimestoppers, Inc. within _____ days [Gov Code 414.001];
- _____ r. Pay **\$100.00** to the Waco Family Abuse Center within _____ days [*discretionary; family violence*];
- _____ s. Additional terms: _____

18. The following conditions of community supervision are effective immediately, as indicated:

- _____ a. Defendant's **driver's license** is **suspended** for _____, effective immediately **OR** (if checked) effective on the following date: _____;
- _____ b. Defendant shall install a camera ready ignition interlock device on Defendant's primary vehicle, and shall not operate a motor vehicle in a public place which is not so equipped for either — _____ the full probation term or _____ (specify the period) _____ beginning _____;
- _____ c. Defendant shall utilize and follow all instructions and requirements regarding the following device(s), as indicated: _____ SCRAM (or its equivalent); _____ remote breath testing; _____ drug abuse patch; _____ GPS monitor; _____ other: _____, for — _____ the full probation term **OR** _____ (specify the period) _____ beginning _____, **OR** _____ or until the Department authorizes its discontinued use. Defendant shall pay all costs associated with this requirement, including all damage(s) to the issued device(s), as directed by the Department.

Family Violence: The Court finds the Defendant committed family or dating violence in this case: _____ [*check here if applicable*]

Date: _____

Judge Presiding

This order has been read and explained to me, I understand the terms of this order, and I have received a copy of this order.

Defendant _____ Date _____
 Address _____
 City: _____ State: _____ Zip: _____
 Employment: _____

Supervising Officer _____
 DOB: _____
 Phone: _____
 Phone: _____

Defendant's
Left Thumb
(Use only if right
Thumb not available)



Defendant's
Right Thumb