

JUDGE CATHY PENN, JUSTICE OF THE PEACE, PRECINCT 2
1111 E. YELLOW JACKET LANE, SUITE 302, ROCKWALL, TEXAS 75087
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Driving Safety Course (DSC) and Motorcycle Operator Training Course (MTC) dismissal does not apply to non-moving violations; speeding 95 mph or more, or 25 mph or more, above the posted speed limit; no insurance tickets; serious violations; passing a school bus; accidents involving damage or failure to report; or violations that occur in a construction or maintenance work zone with workers present. Commercial Driver's License (CDL) holders are not eligible for DSC/MTC dismissal for any offense.

CITATION NO. _____

STATE OF TEXAS § JUSTICE OF THE PEACE COURT
§
VS. § PRECINCT TWO
§
_____, Defendant § ROCKWALL COUNTY, TEXAS

DEFENDANT'S PLEA AND REQUEST FOR A DRIVING SAFETY COURSE

I hereby enter my appearance on the complaint of the offense of: _____. I understand that I have a right to a jury trial. I hereby waive my right to a jury trial, decline my right to review documents or evidence in my case, **plead NO CONTEST**, and elect under Article 45.0511, Code of Criminal Procedure, to take a driving safety course.

I understand that I must present the Court the following with this request on or before the appearance date:

1. a valid Texas driver's license or permit, or proof that I am a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty;
2. proof of financial responsibility pursuant to Chapter 601, Transportation Code (auto insurance); and
3. payment of \$146.00.

I understand that my case will not be dismissed unless the Court receives the following within the 90th day of the date of this request:

1. a uniform certificate of course completion of a driving safety course or a verification of course completion of a motorcycle operator training course as evidence that I have completed such a course;
2. an affidavit that I was not taking such a course nor had I completed one within the preceding 12 months from the date of my current offense that is not shown on my driving record as maintained by the Texas Department of Public; and
3. certified copy of my driving record as maintained by the Texas Department of Public Safety.

I understand that:

1. if I comply with the court order granting the taking of a driving safety/motorcycle operator training course and submit all the required evidence as ordered, the Court will dismiss my case and report to the Texas Department of Public Safety the date that I completed my course for inclusion on my driving record;
2. if I fail to submit all the evidence required by the Court, I will be notified of a show cause hearing and be required to appear before the Court to show cause why I did not present the required evidence of course completion;
3. the judge may at the show cause hearing enter a final adjudication against me and require me to pay the fine; and

4. the failure to appear at the show cause hearing will result in a final adjudication being entered against me, and that I will be required to pay the fine and any additional costs required by law.

BY SIGNING THIS DOCUMENT, I DECLARE that I have read and understand this document, that I am eligible for the Driving Safety Course, and I do hereby **plead NO CONTEST** to the offense as charged, **waive** my right to a jury trial or hearing by the Court and request the Court grant my request to take the Driving Safety Course for the citation listed above.

▶ _____ ▶ _____
Defendant's (Declarant's) Signature Date

Defendant's Printed Name Citation Number Citation Date

Address City State Zip Code

Daytime Phone/Cell Number Email Address

Incomplete requests will be denied. Defendant must be named driver on auto insurance proof. Please contact the court by telephone or email for questions and instructions to make payment with submission of this request.

The \$146.00 payment does not include the cost for the driving safety course or to obtain your certified driving record. You may take a "State Approved" course anywhere in the State of Texas. To obtain the required certified copy of your driving record (Type 3A), go to the Department of Public Safety web-site at <https://www.dps.texas.gov/DriverLicense/driverrecords.htm>. The DSC certificate and DPS driving record must be submitted to the Court on or before 90 days from this request.

**IF THE AFFIDAVIT IS MAILED, IT MUST BE SIGNED AND SWORN BEFORE A NOTARY PUBLIC.
IF THE AFFIDAVIT IS SIGNED AT COURT OFFICE, AFFIDAVIT MAY BE SIGNED AND SWORN BEFORE
COURT CLERK. THE AFFIDAVIT IS DUE IN 90 DAYS WITH THE DRIVING RECORD AND DRIVER'S COURSE
CERTIFICATE.**

CITATION NO. _____

STATE OF TEXAS

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JUSTICE OF THE PEACE COURT

VS.

PRECINCT TWO

_____, **Defendant**

ROCKWALL COUNTY, TEXAS

AFFIDAVIT

I, _____, state under oath that on the date of my request for a driving safety course/motorcycle operator training course in the above numbered cause that I was not taking such a course nor had I completed one within the 12 months preceding the date of my current offense that is not shown on my driving record as maintained by the Texas Department of Public Safety (or as maintained by the state that issued my driver's license - active military duty personnel only).

▶ _____
Defendant's Signature

Sworn and subscribed before me, the undersigned authority on this the ____ day of _____,
20__.

(notary or court clerk seal)

▶ _____
[Notary Public in and for the State of Texas]
[Court Clerk]