



RICARDO RODRIGUEZ, JR.

HIDALGO COUNTY CRIMINAL DISTRICT ATTORNEY

Defendant's Name:

Cause Number:

ELIGIBILITY CRITERIA

Defendant must not have open warrants in any jurisdiction.

Defendant must not have any prior contact with law enforcement, this includes but is not limited to Juvenile Records regardless of disposition, Adult Arrests/Citations regardless of disposition, and Out-of-State Arrests or Citations regardless of disposition. **This does not include traffic citations.**

IF APPROVED, APPLICANTS:

MUST pay a \$100.00 application fee.

MUST pay court costs.

MUST pay court appointed attorney's fees, if an attorney is appointed.

MUST complete a Drug Education Class.

MUST enter a plea of guilty and comply with all standard conditions of probation for 60 days.

MUST pay a monthly \$30.00 supervisory fee while on PTD.

MUST submit to and test negative for any controlled substances in Court on the day of Final Status Hearing.

All above-mentioned conditions must be complied with within 60 days of arraignment or 60 days of signing this application.

DEFENDANT'S ACKNOWLEDGEMENTS AND WAIVERS

____ I authorize the Criminal District Attorney's Office to conduct an investigation to determine my eligibility for this PTD program.

____ I understand I have a right to a speedy trial of the offense charged against me, and I knowingly and voluntarily and conditionally give up and abandon my right to a speedy trial of the offense charged against me in the above cause upon resolution by this PTD program.

____ I understand I have a right to a trial by jury on both issues of guilt/innocence and punishment on the offense charged against me in the above cause, and I knowingly, voluntarily, and conditionally give up and abandon my right to a trial by jury upon resolution by this PTD program.

____ I understand I have the right under Article 55.01, Code of Criminal Procedure to request that the record of my arrest for the offense be expunged if my case is resolved by this PTD program.

____ I freely, knowingly and voluntarily waive any additional right to inspect or copy discoverable items in the State's possession as permitted by Texas Code of Criminal Procedure article 39.14, other than to the State's continuing duty under article 39.14(k), as well as under the United States and Texas Constitutions, to provide exculpatory, impeachment, or mitigation evidence tending to negate the defendant's guilt or tending to reduce his punishment for the charged offense. My attorney has fully and completely explained to me my right to further discovery pursuant to article 39.14, and I understand that right.

____ I understand my right under article 55.01 C.C.P to an expunction of the record of my arrest and documents and entries relating thereto upon dismissal of the case by the State, and I knowingly and voluntarily waive my right to have my criminal record (to include the record of my arrest, documents and entries) expunged from the **Hidalgo County Criminal District Attorney's Office database.**

Signed the _____ day of _____, 20____

ATTORNEY FOR DEFENDANT

DEFENDANT

ASSISTANT DISTRICT ATTORNEY

CAUSE NO. CR-__-_____-

STATE OF TEXAS

* IN COUNTY COURT AT LAW #_

*

v.

*

*

* HIDALGO COUNTY, TEXAS

WAIVER OF ART. 39.14 DISCOVERY

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES DEFENDANT _____, hereinafter referred to as DEFENDANT, files this WAIVER OF ART. 39.14 DISCOVERY, DEFENDANT would show the following:

I.

DEFENDANT, after having been explained by counsel that his/her Waiver is in accord with a Pre-Trial Diversion request, signifies his/her waiver of Texas CCrP Art. 39.14 discovery demand.

WHEREFORE, PREMISES CONSIDERED, the DEFENDANT prays that the court accept this Waiver.

Respectfully submitted,

_____ (Atty/firm name)

_____, TX 785__

956 ____ - ____

fax: 956 ____ - ____

_____@_____.com

_____ (defendant sign)

_____ (print name of defendant)

By: _____ (atty sign)

_____ (atty print name)

SBT _____

Counsel for _____

Certificate of Service

I, _____, affirm that a true and correct copy of the foregoing instrument has been delivered to:

Hidalgo County District Attorney
100 E. Cano
Edinburg, TX 78539

_____@da.co.hidalgo.tx.us (prosecutor email)

_____@da.co.hidalgo.tx.us (ADA legal asst email)

_____ (atty sign)

_____ (atty print name)

CAUSE NO. CR-__-_____-

STATE OF TEXAS

* IN COUNTY COURT AT LAW #_

*

v.

*

*

* HIDALGO COUNTY, TEXAS

WAIVER OF RIGHT TO EXPUNCTION UNDER ART. 55.01

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES DEFENDANT _____, hereinafter referred to as DEFENDANT, files this WAIVER OF RIGHT TO EXPUNCTION UNDER ART.55.01, DEFENDANT would show the following:

DEFENDANT, after having been explained by counsel that his/her Waiver is in accord with a Pre-Trial Diversion request, is waiving an order of expunction to the Hidalgo County District Attorney's Office, including arrest record, documents and entries, and signifies his/her limited waiver of Texas CCrP Art. 55.01 with his signature, below.

WHEREFORE, PREMISES CONSIDERED, the DEFENDANT prays that the court accept this Waiver.

Respectfully submitted,

_____ (Atty/firm name)

_____, TX 785__

956 ____ - ____

fax: 956 ____ - ____

_____@_____.com

_____(defendant sign)
_____(print name of defendant)

By: _____(atty sign)
_____(atty print name)

SBT _____
Counsel for _____

Certificate of Service

I, _____, affirm that a true and correct copy of the foregoing instrument has been delivered to:

Hidalgo County District Attorney
100 E. Cano
Edinburg, TX 78539

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_____@da.co.hidalgo.tx.us (ADA legal asst email)

_____ (atty sign)

_____ (atty print name)

CAUSE NO. CR-__-_____-

STATE OF TEXAS

* IN COUNTY COURT AT LAW #_

*

v.

*

*

* HIDALGO COUNTY, TEXAS

WAIVER OF SPEEDY TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES DEFENDANT _____, hereinafter referred to as DEFENDANT, files this WAIVER OF SPEEDY TRIAL, DEFENDANT would show the following:

I.

DEFENDANT after having been explained by counsel that he/she may retain the right to a speedy trial voluntarily and intelligently waives said right upon contemplation of alternative resolution with the Hidalgo County District Attorney.

WHEREFORE, PREMISES CONSIDERED, the DEFENDANT prays that the court accept this Waiver.

Respectfully submitted,

_____ (Atty/firm name)

_____, TX 785__

956 ____ - ____

fax: 956 ____ - ____

_____@_____.com

_____ (defendant sign)

_____ (print name of defendant)

By: _____ (atty sign)

_____ (atty print name)

SBT _____

Counsel for _____

Certificate of Service

I, _____, affirm that a true and correct copy of the foregoing instrument has been delivered to:

Hidalgo County District Attorney
100 E. Cano
Edinburg, TX 78539

_____@da.co.hidalgo.tx.us (prosecutor email)

_____@da.co.hidalgo.tx.us (ADA legal asst email)

_____ (atty sign)

_____ (atty print name)