IN GENERAL

IT IS ORDERED that the clerk(s) follow the orders set forth herein in the judge's absence. Any situation that arises outside of these orders will need direct review by the Presiding Municipal Court Judge.

IT IS FURTHER ORDERED that these standing orders are to serve as guidelines for clerks in the Judge's absence. Any deviations from these orders must have specific approval by the Presiding Municipal Court Judge. The Presiding Judge may submit orders to the clerk beyond the scope of this order at any time, change these orders without notice, and make certain determinations on a case-by-case basis.



APPEARANCES, DOCKETS & CONTINUANCES

IT IS ORDERED that a Defendant is considered to have entered an appearance if the Defendant submits proof of photo ID or is able to be identified by the Clerk in person, and submits a request for action on their case, and, if through correspondence, submits a signature (original, electronic, or digital) in conjunction with the other requirements for entering an appearance.

If a citation is filed with the wrong appearance date/time or filed less than 10 days preceding the Initial Appearance date listed on the citation, the Clerk shall schedule the Initial Appearance date/time 15 business days from the original Initial Appearance date listed on the citation and notify the Defendant. This applies to any undeliverable notice in which corrections can be made to resend notice.

IT IS ORDERED that if a Defendant requests to speak with a Judge regarding their case, the Defendant shall be scheduled on an Uncontested / Open Court Docket. If the Defendant wishes to discuss the merits of their case or a possible agreement on their pre-disposition case, they shall be scheduled on a Pre-Trial Docket to meet with the Prosecutor. The Defendant shall be able to choose one of the next two available dates for the applicable docket.

A Defendant may, at or after a Discovery Docket, request to proceed to a trial by Judge or jury. The Defendant shall be scheduled on the next available trial date, at least 30 days out for the applicable docket.

If at any time the Defendant wishes to pay in full or exercise any options in accordance with any applicable standing Order, they may do so.

IT IS ORDERED the Clerk may reset a scheduled court date (excluding Show Cause hearings, trials by Judge or trials by Jury) at any time, up to 1 time, upon the defendant submitting a written motion for continuance. Any subsequent motion for continuances must be submitted to the Judge for a ruling.

However, a motion for continuance filed by the Defendant or the State for a trial by Judge or jury must be submitted at least 7 days prior to the trial date and agreed upon by both the Defendant and the State before the motion will be granted. If both parties do not agree to the continuance, the motion must be submitted to the Judge for ruling. In any instance, the Clerk shall notify all affected parties of the ruling and/or notice of a new trial date.

IT IS FURTHER ORDERED that if a defendant informs the court that they are denying an offer made by the City Prosecutor and has appeared to a Pre-Trial hearing either in-person or virtually, the Clerk shall set the case(s) on the next available Motion hearing docket.

Signed and ordered on August 24, 2823

Municipal Court Judge

City of Manor, Texas

Eff. 8/24/2023

ASSAULT, THEFT, & PUBLIC INTOXICATION CASE PROCESSING

IT IS ORDERED that any Assault or Theft case that is filed with the Manor Municipal Court be filed with an affidavit for probable cause that is completed by the issuing officer. For the crime of Assault (contact or threat)- Family Violence, the issuing officer must indicate whether they believe family violence was involved.

IT IS ORDERED Upon receipt of the affidavit for probable cause, the Clerk shall draft the summons for the defendant to appear in Open Court at a date no later than 30 days from issuance and forward to the Judge for review. Upon approval and signature from the judge, the Clerk shall mail the defendant the summons and maintain a copy of the summons for the court records,

IT IS ORDERED that any Public Intoxication case that is filed with the Manor Municipal Court be filed with an affidavit of probable cause that is completed by the issuing officer before the case can be filed.

IT IS FURTHER ORDERED that the Defendant must appear in Open Court to enter a plea on the case or may request to be set on the virtual arraignment docket.

IT IS FURTHER ORDERED that the Clerk shall, upon final disposition of an assault case involving family violence, complete and submit a CR-43 (Criminal History Reporting) form within 30 calendar days to the Department of Public Safety.

If the Defendant fails to appear at their scheduled hearing a late notice will be mailed to the defendant.

City of Manor, Texas

ARREST WARRANTS, CAPIAS & CAPIAS PRO FINES

IT IS ORDERED that warrants shall be processed and forwarded to the Judge for review in accordance with the applicable warrant type as outlined below.

Arrest & Capias Warrants – If a Defendant fails to appear for their initial appearance, after they have received the statutorily required notification from the Court of said initial appearance, and the case is pre-disposition, the Clerk shall process the case for an Arrest Warrant or Capias (as applicable) and forward to the Judge for review.

If the Defendant had not received prior notification of their initial appearance, and the case is pre-disposition, the Clerk shall reset the case for an uncontested docket at least 30 days out and notify the Defendant of that setting. If the Defendant fails to appear after being reset, the Clerk shall process the case for an Arrest Warrant or Capias (as applicable) and forward to the Judge for review.

Capias Pro Fine Warrants – If a Defendant fails to comply with a Court Order or Judgment on a post-disposition case and has previously been set for a Show Cause Hearing, the Clerk shall process the case for a Capias Pro Fine and forward to the Judge for review.

IT IS FURTHER ORDERED that at any time the Defendant enters an appearance as defined by Standing Order-Appearances, Dockets & Continuances to address their case, any active arrest, capias, or capias pro fine warrant shall be recalled.

IT IS ORDERED that the clerk shall apply a driver's license hold via the Omni base System or through the Non-Resident Violator Compact Agreement that will remain on the defendant's license until disposition of the case.

IT IS ORDERED that the clerk will provide all file information to the contracted collection agency sixty one (61) days after the defendant's initial appearance date and an arrest warrant has been issued.

Jon. 11, 2023

Signed and Ordered on

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COMPLIANCE DISMISSALS

IT IS ORDERED that a Clerk may process a case for dismissal in accordance with the requirements outlined in the chart below. If all requirements are met, the Clerk shall forward the case to the Judge for a compliance dismissal. Proof of compliance and fee can be submitted at any time for dismissal only if the defect was remedied in the specified time to comply.

Offense	Time to Comply	Required Conditions	Fee
Expired Vehicle Registration - TC 502,407(b)	Within 20 working days of the offense or before the defendant's initial appearance date, whichever is later.	Must show proof that the registration was renewed and the late penalty was paid to the county assessor-collector.	\$10
Unregistered Motor Vehicle - TC 502,473(d)	Before the defendant's initial appearance date.	Must show proof that the defect was remedied or proof that the vehicle had a registration insignia that was valid at the time of the offense.	\$10
Wrong Registration Insignia Displayed - TC 502,475(c)	Before the defendant's initial appearance date,	Must show proof that the defect was remedied.	\$10
Less Than 2 License Plates Displayed - TC 504,943(d)	Before the defendant's initial appearance date,	Must show proof that the defect was remedied.	\$10
Altered or Obscured License Plate - TC 504.945(d)	Before the defendant's initial appearance date.	Must show proof that the defect was remedied and that the plates displayed at the time of the offense were valid.	\$10
Expired Driver's License - TC 521.026(a)	Within 20 working days of the offense or before the defendant's initial appearance date, whichever is later.	Must show proof that the defect was remedied.	\$10
Failure to Update Address or Name on Driver's License - TC 521.054(d)	Within 20 working days of the offense.	Must show proof that the defect was remedied.	\$10
Violate Driver's License Restriction or Endorsement - TC 521,221(d)	Before the defendant's initial appearance date.	Must show proof that the restriction or endorsement was due to a condition that has been surgically or medically corrected before the date of the offense OR in error and shows proof that the endorsement has been removed.	\$10
Defective Equipment (Non-CMV) - TC 547.004(c)	Before the defendant's initial appearance date,	Must show proof that the defect was remedied.	\$10
Vehicle Not Registered in Texas - TC 548.605(e)	Within 20 working days of the offense or before the defendant's initial appearance date, whichever is later.	Must show proof that the registration was obtained. No late penalty required.	\$10
Expired Disabled Parking Placard - TC 681.013	Within 20 working days of the offense or before the defendant's initial appearance date, whichever is later.	Must show proof that the defect was remedied.	\$10

Signed and Ordered on Jun. 11, 2027

JAIL TIME CREDIT REQUESTS / REQUEST CREDIT FOR TIME INCARCERATED

IT IS ORDERED that upon the defendants written request (Request Credit for Time incarcerated form) for time served / request for time incarcerated and proof of official documentation stating:

- The offense for which the defendant was incarcerated,
- The specific name of the facility and location where the defendant was incarcerated.
- When the defendant began incarceration; and
- The date when the defendant's incarceration is scheduled to end.

The Clerk may apply the time served / credit for time incarcerated at a rate of \$150 per 8 hours of time served. It is required for the defendant to enter a plea of Guilty or No Contest in order for the request to be considered.

Signed and ordered on Jan. 21, 2

Municipal Court Judge City of Manor, Texas

PAYMENTS & PAYMENT ARRANGEMENTS

IT IS ORDERED that at any time the Defendant enters an appearance as defined by Standing Order-Appearances, Dockets & Continuances to address their case, any active arrest, capias pro fine, or capias warrant shall be recalled.

Upon appearance, request, and submission of a completed payment application, the Clerk may process a payment plan. If the Defendant wishes to submit a request for other payment options, the Defendant may submit a request along with a completed payment application to the Judge or can request to be scheduled for an Uncontested Docket.

If a payment plan is requested, an initial payment of \$50 must be made to begin the payment plan and the minimum monthly payments shall be based on the total due of all applicable cases prior to any initial payments (if any). If the total due is ≤ \$500, the minimum monthly payment must be at least \$50. If the total due is \$501 to \$1000, the minimum monthly payment must be at least \$100. If the total due is \$1001 to \$2000 the minimum monthly payment must be at least \$200. If the total due is \$2001 or greater, the minimum monthly payment must be at least \$250. If the Defendant is unable to pay the minimum monthly amount required, the Defendant may submit a request for a lower monthly payment amount along with a completed payment application to the Judge or can request to be scheduled for an Uncontested Docket.

Any subsequent violations can be incorporated into an existing payment plan that is current, upon request of the Defendant, by preserving the existing due date and adjusting the scheduled monthly payment amount to conform to this Order as applicable.

If the Defendant fails to comply with any terms of payment, the Clerk shall schedule the case for a Show Cause Hearing (if not previously scheduled for a Show Cause Hearing) and notify the Defendant of that hearing. The case shall be scheduled at least 30 days out or may be set sooner if agreed upon by the Defendant, Motions for continuance shall be processed in accordance with Standing Order -Appearances, Dockets, & Continuances. If the defendant fails to appear to the scheduled show cause hearing, a Capias Pro Fine warrant shall be issued.

IT IS ORDERED any pre-disposition cases in which the defendant is < 21 years old and involves an offense under Texas Penal Code or Texas Alcohol & Beverage Code must appear in open court, unless otherwise specified by the Judge

IT IS FURTHER ORDERED that if a payment is received by mail and is \$20 more or less than the total amount of a pre-disposition case, the Clerk shall adjust the fine accordingly and process the payment in full. If the payment received is more than \$20 deficient of the total amount of the case, the Clerk shall forward the case to the Judge for review,

Municipal Court Judge City of Manor, Texas

Signed and Ordered on Jon. 1/

MANOR MUNICIPAL COURT STANDING ORDERS DRIVING SAFETY COURSE

IT IS ORDERED that a request for a Driving Safety Course (DSC) can be processed by the Clerk if the Defendant:

- 1. Has not taken a DSC within the last 12 months preceding the date of the violation;
- 2. Has not been charged with an ineligible offense as defined under CCP 45.0511;
- 3. Enters an appearance as defined by the Standing Order-Appearances, Dockets & Continuances; and
- 4. Submits by their initial appearance date:
 - a. A plea of no contest or Guilty and request for a DSC;
 - b. Proof of a valid non-CDL Texas driver's license or, if the Defendant is a member, spouse, or dependent child of a member of the US Military Forces, a valid driver's license issued by another State;
 - c. Proof of valid financial responsibility listing the Defendant as a driver on the policy; and
 - d. Payment of the court costs in the amount of \$144.00 (non school zone) or \$179.00 (school zone) as applicable to the offense.

Upon meeting and submitting all requirements stated above by the initial appearance date, the Defendant shall be given 90 days from the date of their request to submit prior to a show cause hearing (as applicable):

- 1. A sworn affidavit stating that at the time of the request they were not taking or had not taken a DSC within the last 12 months preceding the date of the violation.
- 2. A court copy of a uniform certificate of completion of DSC approved by the TDLR; and
 - a. The certificate must state the Court name/city and show a completion date after the date of the violation but not after the 90th day of the request.
 - b. The court copy of the certificate can be accepted if sent via email, fax, mail, or in person with or without a signature.
 - c. A DSC course may be taken in lieu of a motorcycle operator's training course or seatbelt safety course.
- 3. A copy of a Texas driving record, form 3 or 3A, as maintained by the DPS, or, if military, a driving record from the State where their driver's license is issued, if available. The driving record must show that a DSC has not been completed within the last 12 months preceding the date of the violation.

The Clerk shall accept any of the requirements of a DSC and can forward those requirements and submissions to the Judge to review for judgment and/or dismissal,

IT IS FURTHER ORDERED that if a Defendant fails to comply with any requirements of a DSC, the Clerk shall schedule the case for a Show Cause Hearing and notify the Defendant of that hearing. The case shall be scheduled at least 30 days out or may be set sooner if agreed upon by the Defendant. Motions for continuance can be filed in accordance with Standing Order-Appearances, Dockets, & Continuances. The Defendant may also opt to waive their show cause hearing in writing and pay any balance in full or make payment arrangements in accordance with Standing Order-Payments & Payment Arrangements.

If the Defendant fails to appear at their scheduled hearing and a conviction is entered, the Defendant shall be notified that a final conviction has been entered and the case is then set on the second show cause hearing docket (Capias Pro Fine docket),

Signed and Ordered on Jan. 11, 7523

Eff. 11/2023

City of Manor, Texas

DEFERRED DISPOSITION

IT IS ORDERED upon appearance and request, as defined by Standing Order-Appearances, Dockets & Continuances, the Clerk may process a Deferred Disposition Order to forward to the judge for review if the Defendant (1) has not been ordered to a Deferred Disposition 3 (three) or more times in the Manor Municipal Court; and (2) is not prohibited from Deferred Disposition by law, and as outlined below.

- A. Moving Violations The deferral period is for 90 days during which the defendant must:
 - Pay the special expense fee (fine amount at time of request) and court costs;
 - Not be convicted of any offenses of a similar nature within the City of Manor.
 - Additional conditions (as applicable):
 - i. If the Defendant was < 25 years old at the time of the violation, they must complete a DSC and submit the original court copy of the certificate of completion.
- Non-Moving Violations The deferral period is for 90 days during which the defendant must:
 - Pay the special expense fee (fine amount at time of request) and court costs; and
 - Not be convicted of any offenses of a similar nature within the City of New Manor.
- C. Driving While License Invalid The deferral period is for 120 days during which the defendant must;
 - Pay the special expense fee (fine amount at the time of request) and court costs; and
 - Submit proof of a valid driver's or occupational license court order; and
 - Not be convicted of any offenses of a similar nature within the City of Manor.
- Failure to Maintain Financial Responsibility The deferral period is for 90 days during which the defendant must;
 - **At the time of request the Defendant must submit proof of valid insurance listing the Defendant as a driver on the policy;
 - Pay the special expense fee (fine amount at time of request) and court costs;
 - Submit proof at the end of the deferral period that the defendant is on an active insurance policy; and
 - Not be convicted of any offenses of a similar nature within the City of Manor.
- Possession of Drug Paraphernalia The deferral period is for 90 days during which the defendant must:
 - Pay the special expense fee (fine amount at the time of request) and court costs; and
 - Complete and turn in certificate of completion from a drug awareness course by the end of the deferral period; and
 - Not be convicted of any offenses of a similar nature within the City of Manor.

Exceptions:

- Pre-disposition cases in which the defendant is < 21 years old and involves an offense under Texas Penal Code, Texas Alcohol & Beyerage Code or Health and Safety Code regarding tobacco must appear in open court either in person or virtually, unless otherwise specified by the
- A Defendant charged with speeding > 25mph over the limit, must appear in court if a deferral is sought, otherwise any other available options can be exercised:
- If a Defendant is a CDL holder or had a CDL at the time of the violation and if the violation involved the movement of a vehicle, they are not eligible for a deferral. However, any other available options can be exercised.

IT IS FURTHER ORDERED that if a Defendant fails to comply with any requirements of a deferral, the Clerk shall schedule the case for a Show Cause Hearing and notify the Defendant of that hearing. The case shall be scheduled at least 30 days out or may be set sooner if agreed upon by the Defendant. Motions for continuance can be filed in accordance with Standing Order-Appearances, Dockets, & Continuances. The Defendant may also opt to waive their show cause hearing in writing and pay any balance in full or make payment arrangements in accordance with Standing Order-Payments & Payment Arrangements.

If the Defendant fails to appear at their scheduled hearing and a conviction is entered, the Defendant shall be notified that a final conviction has been entered and the case is then set on the second show cause hearing docket (Capias Pro Fine docket),

Signed and ordered on Sah, H, Rozer

FAILURE TO APPEAR PROGRAM / OMNI BASE SYSTEM

IT IS ORDERED that the clerk(s) shall lift the OMNI hold for defendants upon final disposition of any case.

IT IS FURTHER ORDERED that the OMNI hold shall not be removed without written permission from either the Judge or Prosecutor if the case has not reached its final disposition.

Signed and Ordered on Jon. 11, 2023

Municipal Court Judge City of Manor, Texas

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RECORDS REQUESTS

IT IS ORDERED that an INDIVIDUAL that is requesting copies of court case records relating to an active case filed in the Manor Municipal Court fill out a "Manor Court Records Request" form, Upon approval from the presiding judge. copies of the records may be released to the requestor within 10 business days.

IT IS ORDERED that a DEFENDANT that is requesting copies of court case records relating to their closed cases in the Manor Municipal Court fill out a "Manor Court Records Request" form. The records will be provided within 10 business days, this does not require the approval of the judge

IT IS ORDERED that a DEFENDANT OR DEFENDANT'S ATTORNEY, requesting records in the possession. custody or control of the state related to the prosecution of the defendant, including copies of records, police reports or video records, etc. must complete a motion for discovery form, pursuant to article 39.14 of the Code of Criminal Procedure. Upon approval from the city prosecutor, copies of the records may be released to the requestor within 10 business days.

Signed and Ordered on Sun. 11, 28 227

Effective: \(\big| \big| 11 \big| 2023

DISCOVERY REQUESTS

Upon written request by the Defendant, IT IS ORDERED that the State produce the items set forth in this Order for inspection by the Defendant. Said discovery shall be made available to the Defendant not later than the 20th day before the date the trial begins.

The Defendant must make this written request to the Prosecutor, as well as provide a blank videotape or compact disc, if a video recording is made incident to the issuance of the citation giving rise to the change against the Defendant.

- 1. The State shall reveal to the Defendant and permit inspection by the Defendant of all information and material known to the State that may be favorable to the Defendant on the issues of guilt or punishment within the scope *Brady v. Maryland*, 373 U.S. 83 (1963), or that may tend to impeach any State witness.
- 2. The State shall permit the Defendant to inspect all documents, papers (except written statements of witnesses and except the work product of counsel in the case and their investigators and their notes or reports), books, accounts, letters, photographs, objects, or tangible things not privileged, which constitute or contain evidence material to any matter involved in the action and which are in the possession, custody or control of the State or any of its agents.
- The State shall permit the Defendant to inspect and copy, or shall provide to the Defendant a copy of, the following:
 - a. Any written or recorded statement made by the Defendant, which is in possession of the State or its agents;
 - b. The results of scientific tests or experiments made in connection with the case;
 - c. The results of any physical or mental examination of the Defendant;
 - d. A copy of any video recording made incident to the issuance of the citation giving rise to the above styled and numbered cause which video recording may be used by the State in the prosecution of its case, provided that the Defendant must furnish an electronic device containing memory, per the State's requirements, for reproduction purposes.
- 4. Provide to the Defendant a list of all witnesses the State may present during its case-in-chief,

THE COURT HEREBY ORDERS that the parties confer and accomplish the following on or before the Motion hearing:

- 1. The State is hereby placed under a continuing duty to reveal to the Defendant, as soon as practicable, all newly discovered information or material within the scope of this standing order.
- 2. The Court may at any time, upon motion properly filed, order that the discovery or inspection provided for by this standing order be modified, denied, restricted, or deferred, or make such other order as is appropriate under the Texas Code of Criminal Procedure or Texas Rules of Evidence.
- 3. Any dispute between the State and the Defendant relating to discovery matters in general, or to compliance with this standing order, should be brought to the Court's attention as soon as possible.

Signed and ordered on April 27, 2003

Presiding Municipal Court Judge City of Manor, Texas

Effective: april 27, 2023

RECORDS RETENTION

IT IS ORDERED that the clerk of the court, as the custodian of records, shall work with the City Secretary to ensure that all records are held and destroyed in accordance with the records retention schedule adopted by the City and on file with the Secretary of State.

IT IS ORDERED that the clerk of the court shall provide the prosecutor with any file for which five or more years have lapsed since the date of the offense and a judgment, signed by the judge, or a properly executed formal complaint is not on file for the offense.

Signed and Ordered on Son. 1/2023

Municipal Court Judge City of Manor, Texas

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COURT SECURITY COMMITTEE (29.014 LGC)

IT IS ORDERED that the Manor Municipal Court Security Committee is hereby established. The court security committee is hereby composed of the following persons:

- 1. Manor Municipal Court Judge or a person designated by the judge;
- 2. Court Administrator;
- 3. Manor Police Department, or their designee;
- 4. Finance Director of the City of Manor; and
- 5. Any other person that the Security Committee determines is necessary to assist the committee.

IT IS ORDERED that the Manor Municipal Court Security Committee shall establish the policies and procedures necessary to provide adequate security to the Manor Municipal Court. The Manor Municipal Court Security Committee may recommend to the City Manager or the City Council for the uses of resources and expenditures of money for courthouse security but may not direct the assignment of those resources or the expenditure of those funds. The Municipal Court Judge or their designee shall serve as the presiding officer of the committee.

Signed and Ordered on Jon. 11, 7873

Municipal Court Judge City/of Manor, Texas

Eff. //1/ /2023

COURT SECURITY

The purpose of this Order is to establish regulations and procedures for security in the Municipal Court and/or designated Court facility. The authority to promulgate and enforce such regulations and procedures is inherent to the Court.

IT IS ORDERED that the court will maintain an agreement with the Manor Police Department to have a bailiff provided for all Municipal Court Proceedings.

IT IS ORDERED that the bailiffs shall be required to follow all security, use of force, or any other applicable policies and procedures pertaining to court security as established by the policy of their TCOLE License-holding agency. Each bailiff must complete 8-hours of Court Security training prior to serving as a bailiff in the court room.

IT IS ORDERED that the bailiffs shall complete and submit a Texas Court Security Incident Report not later than 3rd business day after an incident occurs when required by article 102.017(f) of the Texas Code of Criminal Procedure. The bailiff may interview court staff and witnesses as needed to complete the report and all court personnel shall cooperate with the interviews and investigation process. Any incident that occurs outside of the bailiff's presence shall immediately be reported to a bailiff of the municipal court.

IT IS ORDERED that the bailiffs shall complete and submit any reports required under the report section of these orders or as required by city policy or law.

Signed and Ordered on Slan. 11, 323

Municipal Court Judge City of Manor, Texas

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