

A **DWI attorney in Lubbock** assist you to maintain your license, hindrance the State's proof, and make counseled possibilities early, fairly if this is not very your first arrest. If you were arrested for DWI in Lubbock County, plenty is likely to be at stake, consisting of your driving force's license, your criminal record, and in a few circumstances your freedom. One of the primary time cut-off dates is separate from the prison case: under the ALR software, you oftentimes have **15 days from receiving word of suspension** to request a listening to, and in some blood verify instances the closing date is **20 days from the mailing date of the notice** as a replacement (Tex. Transp. Code §§ 524.031, 724.041).

You do now not have to form this out on my own. Texas Criminal Defense Group affords a loose session for workers arrested for DWI in Lubbock County. You can name **(806) 542-3513** to chat by using what passed off, what points in time observe, and what a better steps should be.

What a DWI Attorney Watches for After a DWI Arrest in Lubbock

After an arrest, the procedure actions shortly, however an arrest just isn't just like a cost or a conviction. In Lubbock County, humans arrested for DWI are oftentimes booked into the **Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403**, which is run by means of the Lubbock County Sheriff's Office.

Texas legislation calls for an **look until now a magistrate** without pointless prolong and inside of 48 hours of arrest (Tex. Code Crim. Proc. Art. 15.17). At that hearing, the Justice of the Peace explains the accusation, advises you of rights, and addresses bond. The Sheriff's Office states that these hearings are held at the least twice everyday and are reside-streamed. Bond would be posted on the penitentiary bond window or by a bail bond organization.

A DWI arrest also in general comes to bureaucracy that impacts your driving force's license. Under Texas implied consent regulation, after a DWI arrest an officer reads the **DIC-24 statutory warning** (Tex. Transp. Code §§ 724.011, 724.05). If the officer takes movement that triggers the ALR program, you can also be given a **DIC-25 Notice of Suspension**.

It additionally helps to consider the change among 3 levels:

- **Arrested** capability legislations enforcement took you into custody on suspicion of DWI.
- **Charged** ability prosecutors formally record a offender case.
- **Convicted** skill there may be a conviction after a plea, trial, or distinctive other influence.

In Lubbock County, misdemeanor and criminal DWI circumstances are prosecuted via the **Lubbock County Criminal District Attorney's Office**. Arrests in the discipline also can involve the Lubbock Police Department, the Lubbock County Sheriff's Office, the Texas Department of Public Safety, or the Texas Tech University Police Department.

How Texas Law Defines DWI

Texas defines DWI as working a motor car in a public position when intoxicated (Tex. Penal Code § forty nine.04). That definition has several components, and every it is easy to count in a actual case.

"Intoxicated" has **two separate criminal meanings** less than Texas legislations (Tex. Penal Code § forty nine.01(2)). The State may attempt to prove either one:

1. You did now not have the frequent use of your psychological or actual schools owing to alcohol, a managed substance, a drug, a hazardous drug, a combination of those, or one more substance.
2. Your alcohol awareness become zero.08 or extra.

Because these are two exceptional paths, someone would be arrested for DWI no matter if a later verify outcomes is less than zero.08. The State may well nonetheless argue lack of time-honored use established on riding, statements, appearance, field sobriety tests, or other proof.

Texas legislation additionally covers greater than alcohol. Drugs, prescription medicine, or a mixture of substances may perhaps aid a DWI allegation under the loss-of-well-known-use definition, and **a legitimate prescription is simply not a defense** via itself (Tex. Penal Code § 49.10).

The State needs to also train you had been **operating** a motor automobile in a **public place** (Tex. Penal Code §§ forty nine.04, 1.07). "Public position" is broader than many human beings are expecting. It carries now not purely roads which includes I-27, Loop 289, Marsha Sharp Freeway, or Broadway, however also areas like parking plenty and condo familiar spaces.

Texas additionally treats **DUI by means of a minor** as a varied offense from DWI. Under Texas law, DUI by using a minor applies to drivers under 21 with any detectable volume of alcohol, is a Class C misdemeanor, isn't really a lesser kind of DWI, and does no longer observe to adults (Tex. Alco. Bev. Code § 106.041). A driver beneath 21 can nevertheless be charged with complete DWI if the statistics are compatible that statute.

Texas DWI Penalties (Current as of September 2026)

The that you can imagine consequences depend on the price, prior historical past, and precise evidence alleged via the State. The desk lower than summarizes the offense degrees and hassle-free punishment levels listed in Texas rules.

Offense	Statute	Offense Level	Confinement	Maximum Fine	First DWI	Tex. Penal Code
First DWI	§§ 49.04(b), 12.22	Class B misdemeanor	Minimum seventy two hours, as much as 180 days in county prison	\$2,000	First DWI with open field in instantaneous ownership	Tex. Penal Code § forty nine.04(c)
Class B misdemeanor		Minimum 6 days, up to a hundred and eighty days in county detention center	\$2,000	DWI with alcohol focus of 0.15 or greater at time of analysis	Tex. Penal Code §§ forty nine.04(d), 12.21	Class A misdemeanor
Class A misdemeanor		Up to at least one year in county reformatory	\$four,000	DWI in tuition crossing quarter at the same time decreased institution velocity restrict applies	Tex. Penal Code §§ forty nine.04(e), 12.35	State prison legal
State prison legal		a hundred and eighty days to two years in nation reformatory	\$10,000	DWI with passenger younger than 15	Tex. Penal Code § forty nine.half	State reformatory felony
State reformatory felony		a hundred and eighty days to two years in kingdom reformatory	\$10,000	Second DWI	Tex. Penal Code § forty nine.09(a)	Class A misdemeanor
Class A misdemeanor		Minimum 30 days in county reformatory, up to one year	\$four,000	Third DWI	Tex. Penal Code §§ forty nine.09(b)(2), 12.34	Third-measure legal
Third-measure legal		2 to 10 years in penitentiary	\$10,000	Intoxication attack	Tex. Penal Code § 49.07	Third-level felony
Third-level felony		2 to 10 years in penal complex	\$10,000	Intoxication manslaughter	Tex. Penal Code §§ forty nine.08, forty nine.09(b-2)	Second-measure criminal, or first-degree criminal in distinctive cases
Second-measure criminal, or first-degree criminal in distinctive cases		2 to twenty years for moment-degree criminal	\$10,000	Boating when intoxicated	Tex. Penal Code § 49.06	Class B misdemeanor
Class B misdemeanor		Minimum 72 hours, up to a hundred and eighty days in county prison	\$2,000			

Separate from the criminal advantageous, Texas rules also imposes a **kingdom high-quality on closing conviction** under Transportation Code § 709.001. It is \$three,000 for a primary conviction inside of a 36 month length, \$4,500 for a moment or next conviction inside of 36 months, or \$6,000 if the alcohol awareness become 0.15 or extra. The court must waive this nation advantageous if the grownup is came upon indigent.

Protecting Your Driver's License

A DWI arrest can set off a license suspension job which is separate from the criminal case. Under the ALR software, the action is a **suspension**, and it does now not start out mechanically this present day of arrest (Tex. Transp. Code §§ 524.031, 724.041).

The ALR hearing and suspension lengths

You frequently have **15 days from receiving discover of suspension** to request an ALR hearing (Tex. Transp. Code §§ 524.031, 724.041). In blood try out cases, DPS may just mail the notice later, and then the request closing date is **20 days from the mailing date**. If no well timed request is made, the suspension starts off on the 40th day after note. If a well timed request is made, the suspension does now not start up until the executive rules decide makes a decision the case.

ALR hearings are dealt with by the **State Office of Administrative Hearings**, regularly also known as SOAH, beforehand an administrative legislation choose. The security can subpoena the arresting officer, which can even aid show evidence early.

Here are the person suspension lengths listed in the statutes:

| ALR foundation | Suspension length | |---|---| | Failing a experiment | ninety days | | Failing a try, with past alcohol-relevant or drug-connected enforcement contact within 10 years | 1 yr | | Refusing a attempt | a hundred and eighty days | | Refusing a experiment, with previous alcohol-appropriate or drug-comparable enforcement touch inside 10 years | 2 years |

ALR suspensions can not be probated, and the reinstatement value is \$one hundred twenty five (Tex. Transp. Code § 724.046). A first DWI conviction also can carry a separate suspension of ninety days to one 12 months (Tex. Transp. Code § 521.344(a)).

Occupational driver's license

If your license is suspended, you can be capable of request an **occupational driver's license**, also often known as an simple want license (Tex. Transp. Code § 521.2421). For an ALR-simply suspension, the petition is filed inside the county in which you dwell or in which the arrest befell. For a suspension that follows a conviction, the petition need to be filed with the courtroom of conviction.

The court docket will have to order alcohol-dependence counseling until it reveals desirable lead to no longer to (Tex. Transp. Code § 521.245). Driving is confined to 4 hours a day by default, and as much as 12 hours a day on a appearing of desire (Tex. Transp. Code § 521.248(b)). If the occupational motive force's license requires an ignition interlock instrument, the driver is exempt from the time, path, and purpose limits (Tex. Transp. Code § 521.248(d)). The court order works as a transient license for forty five days (Tex. Transp. Code § 521.249).

An **SR-22** is required. An SR-22 is a Financial Responsibility Insurance Certificate filed with DPS by an insurance coverage supplier. No occupational license is ever issued for using a business motor car or truck (Tex. Transp. Code § 521.2424).

Ignition interlock and SR-22

An ignition interlock system may well be required at a number of stages of a DWI case. Texas legislations in most cases calls for it as a **bond condition** for a repeat DWI price and for DWI with a newborn passenger, intoxication assault, or intoxication manslaughter prices (Tex. Code Crim. Proc. Art. 17.441).

It can be required as a **situation of neighborhood supervision** for an alcohol awareness of 0.15 or extra, repeat offenders, and drivers below 21 (Tex. Code Crim. Proc. Art. 42A.408). For first-offense deferred adjudication network supervision, an interlock is needed except waived after an assessment.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi defense lawyer** appears to be like heavily at how the quit came about, what the officer found, what tests had been asked, and whether or not the State can end up intoxication past the arrest document. Many DWI instances activate particulars that usually are not obtrusive on the day of arrest.

The traffic stop

A traffic prevent ought to be supported by using **practical suspicion**, and an arrest need to be supported with the aid of **probably cause** lower than the Fourth Amendment. A security attorney can evaluation the acknowledged intent for the cease, the timeline, physique-cam footage, sprint-cam pictures, and no matter if the statistics help the officer's choices.

If the cease was not lawful, or if the arrest lacked probably result in, that can impact what proof might be utilized in courtroom. The resolution depends on the precise evidence, now not simply the offense charged.

Field sobriety tests

Field sobriety tests aren't required by using Texas statute, and declining them does **not** cause an ALR suspension. The standardized checks are the horizontal gaze nystagmus, stroll-and-turn, and one-leg stand, which have been advanced by using NHTSA.

A **lubbock dwi protection lawyer** will in the main test regardless of whether the officer used the standardized guidance, no matter if the conditions were fair, and no matter if the video suits the file. These assessments can glance greater detailed on paper than they do on digicam.

Breath tests

After a DWI arrest, Texas implied consent regulation applies, and the officer reads the DIC-24 statutory caution (Tex. Transp. Code §§ 724.011, 724.half). A refusal is still possible, however it could deliver a longer ALR suspension and may well be used as evidence at trial (Tex. Transp. Code § 724.061).

Breath tests in Texas are run at the **Intoxilyzer 9000** below the DPS Breath Alcohol Testing Program, via licensed operators (Tex. Transp. Code § 724.016). A protection lawyer might assessment repairs files, calibration data, and operator certification documents to look no matter if there are matters that rely within the case.

Blood checks and seek warrants

Since 2021, police customarily need a **seek warrant** or suitable emergency occasions to take blood with no consent, even wherein a specimen would differently be needed (Tex. Transp. Code § **DWI lawyer near me** 724.012(e)). Blood would have to be drawn through certified employees in a sanitary location (Tex. Transp. Code § 724.017).

Blood facts is absolutely not simply a range of on a document. The security can evaluate the warrant, the blood draw strategy, the chain of custody, retention of the sample, and to be had documents approximately the checking out manner (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018). A man or women who gave the officer's requested specimen can also set up an extra autonomous blood test inside of 2 hours of arrest with

the aid of a certified user of their determining, regardless that police usually are not required to move them (Tex. Transp. Code § 724.019).

You may pay attention the word **No Refusal**. That seriously is not a separate regulation. It refers to an enforcement initiative the place officials usually are looking for a judge-signed blood search warrant after a refusal, and the refusal still triggers the ALR suspension.

The zero.15 timing question

A 0.15 allegation might also rely on **while the pattern became analyzed**, now not when the human being turned into driving (Tex. Penal Code § 49.04(d)). That timing dilemma can count due to the fact alcohol awareness can swap over time.

In a few instances, the defense would query whether or not a later verify influence particularly reflects the extent at the time of using. That also can lead to disputes approximately timing and retrograde extrapolation.

Possible Outcomes for a First DWI

A first DWI case might also lead to exceptional **dwi lawyer lubbock** techniques, based at the evidence, your heritage, and the prosecutor's choices. No lawyer can promise a result, but it allows to realize the range of manageable effect.

Dismissal would possibly appear in a few instances if the information, proof, or criminal issues justify it. A dismissal does no longer erase the checklist by itself. If a case is pushed aside, no matter if you would later are looking for an expunction relies upon on the idea for the dismissal and different statutory requirements.

Reduction is usually achievable in some circumstances, yet solely if the prosecutor has the same opinion and the details reinforce it. One reduction generally viewed in Texas is **Obstructing Highway or Other Passageway** (Tex. Penal Code § 42.03). That is not very handy in each case.

Deferred adjudication community supervision has been obtainable for a first DWI for the reason that September 1, 2019 (Tex. Code Crim. Proc. Art. 42A.102). If you effectually total it, there may be no conviction. But it just isn't out there if the alcohol awareness became 0.15 or extra on the time of the offense, while you continue a industrial driving force's license or industrial learner's allow, if a baby passenger was concerned, or if the charge is better. A DWI deferred adjudication nevertheless counts as a previous conviction in case you are later charged with DWI returned (Tex. Penal Code § forty nine.09(g)).

Community supervision (pretty much often known as probation) is exceptional. It is a conviction with a probated sentence. For misdemeanors, group supervision is capped at 2 years, nonetheless it is able to be accelerated after a violation (Tex. Code Crim. Proc. Art. 42A.053). Conditions may just embody reporting, charges, periods, group carrier, and typically an ignition interlock instrument.

Texas rules additionally requires bound coaching systems in lots of instances. The **DWI Education Program** is 12 hours lower than TDLR legislation and is mainly finished within 180 days of being put on group supervision (Tex. Code Crim. Proc. Art. 42A.403). Repeat offenders attend the **DWI Intervention Program**, that's no less than 30 hours (Tex. Code Crim. Proc. Art. 42A.404).

Trial is still an preference if the case shouldn't be resolved on suited phrases. At trial, the State have to prove the charge past a cheap doubt. Whether a case may want to be tried relies at the evidence, hazards, and goals in your challenge.



Records: order of nondisclosure versus expunction

A DWI rfile isn't always instantly got rid of. Texas legislation lets in an **order of nondisclosure** in many first DWI circumstances, which seals the document from public view if the statutory specifications are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736).

The ready periods rely on how the case ended:

- 2 years after discharge from deferred adjudication
- 2 years after finishing network supervision if an interlock become required for at the least 6 months, or else five years
- 3 years after a conviction with no supervision if an interlock was required for at least 6 months, in another way 5 years

There are fantastic limits. A nondisclosure is not achievable for a zero.15 or extra conviction. It can also be denied if the State proves the offense triggered a collision involving one more character. Law enforcement and licensing organisations can still see sealed documents.

An **expunction** is unique and is governed by Code of Criminal Procedure bankruptcy 55A (advantageous January 1, 2025). It could follow after an acquittal, after specified dismissals, or while fees had been under no circumstances filed and the ready durations bypass. A dismissal by myself does now not erase files. A separate expunction petition is required. A conviction that stands cannot be expunged, apart from in rare events such as a pardon or unquestionably-innocence comfort.

A Texas DWI conviction stays on a offender checklist completely. There is not any automatic removing after 7 or 10 years.

Repeat and Felony DWI Charges

Repeat DWI fees are more serious considering that previous intoxication offenses can raise equally the rate stage and the viable punishment. In Texas, past intoxication convictions count for enhancement **whatever how historical they are**, and out-of-country priors can count number too (Tex. Penal Code § 49.09(c)).

A 2d DWI is a **Class A misdemeanor** with at the very least 30 days of confinement (Tex. Penal Code § 49.09(a)). A 3rd DWI is pretty much a **3rd-degree felony**, punishable by way of 2 to ten years in prison and a quality up to \$10,000 (Tex. Penal Code §§ 49.09(b)(2), 12.34).

This is one cause a **DWI lawyer** will desire to seem to be fastidiously at any previous situations. The questions can incorporate regardless of whether the prior offense qualifies, whether data are finished, and no matter if out-of-nation or different intoxication-appropriate priors are being alleged thoroughly. Texas legislations additionally counts precise past boating, flying, and leisure ride intoxication convictions for enhancement.

Bond prerequisites may transform stricter in repeat instances. Texas rules in many instances requires an **ignition interlock device** as a bond condition for a repeat DWI cost (Tex. Code Crim. Proc. Art. 17.441).

Some DWI-comparable prices are legal-stage even with no prior DWI convictions. For example:

- **DWI with a passenger young than 15** is a nation jail legal (Tex. Penal Code § 49.04).
- **Intoxication assault** is a 3rd-degree felony if serious physical damage is resulting from motive of intoxication (Tex. Penal Code § 49.07).
- **Intoxication manslaughter** is a second-degree criminal, and in certain circumstances considering September 1, 2025, it would be charged as a primary-degree felony, together with when multiple particular person dies in the identical criminal transaction (Tex. Penal Code §§ 49.08, 49.09(b-2)).

If you had been arrested once again after a previous DWI, that's tremendous to get legal guidance early. The prior case could have an impact on bond, charging stage, imaginable plea solutions, community supervision legislation, and destiny report penalties.

CDL Holders, Texas Tech Students, and Drivers Under 21

Certain communities face more consequences after a DWI arrest. CDL holders, college students, and more youthful drivers mainly want to reflect on concerns outdoor the trouble-free misdemeanor case.

For **CDL holders**, a zero.04 or extra alcohol concentration whereas running a business motor automobile brings a **1 yr industrial license disqualification** as an administrative action, no longer a felony charge (Tex. Transp. Code § 522.081(b)). A first DWI conviction in any auto, or refusing or failing a try out, also brings a 1 yr CDL disqualification, or three years if hauling placarded damaging fabrics. A 2d brings an entire life disqualification (Tex. Transp. Code § 522.081). CDL and industrial learner's enable holders usually are not eligible for DWI deferred adjudication (Tex. Code Crim. Proc. Art. 42A.102).

For **Texas Tech students**, a school behavior course of would possibly run one after the other from the felony case. That university system does now not update the legal case, and the 2 would possibly circulate on alternative timelines.

For **drivers lower than 21**, Texas has a separate offense often called **DUI by a minor** for driving with any detectable amount of alcohol (Tex. Alco. Bev. Code § 106.041). That offense is a Class C misdemeanor and shouldn't be just like DWI. A driving force lower than 21 can nonetheless be charged with DWI if the evidence fortify it. Under-21 drivers could also face ignition interlock necessities as a circumstance of network supervision in a DWI case (Tex. Code Crim. Proc. Art. 42A.408).

A DWI Lawyer Near You in Lubbock

If you were arrested any place in Lubbock County, that you can communicate with a native place of business that handles Texas criminal defense things. Texas Criminal Defense Group is discovered at **1001 Texas Ave, Lubbock, TX 79401**. The mobilephone wide variety is **(806) 542-3513**.

A **DWI attorney close to me** search most commonly manner you would like clear solutions quickly, from a regulation place of job that understands the nearby activity. The corporation allows other people arrested in Lubbock County by way of reviewing the discontinue, the trying out, the license suspension troubles, and the courtroom activity, then explaining what options is also plausible based at the details.

Frequently Asked Questions

How long do I have to request an ALR hearing after a DWI arrest in Texas?

Usually, you've got you have got **15 days from receiving realize of suspension** to request the listening to (Tex. Transp. Code §§ 524.031, 724.041). In some blood scan circumstances, DPS mails the attention later, and the deadline is 20 days from the mailing date instead. It seriously is not 15 days from the arrest itself.

Is my license suspended right away after a DWI arrest?

No, your license is not really immediately suspended in the interim of arrest beneath the ALR application (Tex. Transp. Code §§ 524.031, 724.041). If you do no longer well timed request a listening to, the suspension routinely starts offevolved on the 40th day after be aware. A timely listening to request stops the suspension from opening unless the decide makes a decision the ALR case.

Can I get an occupational driving force's license after a DWI suspension?

Yes, many drivers can ask for an occupational motive force's license if their regularly occurring license is suspended (Tex. Transp. Code § 521.2421). The submitting vicinity relies upon on no matter if the suspension is ALR-most effective or follows a conviction. An SR-22 is required, and the court order can function a temporary license for forty five days.

Can a primary DWI be a felony in Texas?

Yes, a primary DWI shall be a criminal in guaranteed conditions. For instance, DWI with a passenger younger than 15 is a country jail legal, and DWI in a college crossing quarter whereas the reduced college pace restrict applies can also be a nation penitentiary criminal (Tex. Penal Code §§ forty nine.1/2, 49.04(e)).

What is the big difference among DWI and DUI in Texas?

In Texas, DWI is the person intoxicated driving offense, and DUI through a minor is a separate underneath-21 offense (Tex. Penal Code § forty nine.04; Tex. Alco. Bev. Code § 106.041). DUI with the aid of a minor applies to any detectable volume of alcohol, is a Class C misdemeanor, and isn't a lesser edition of DWI. Adults should not be charged with it.

Does deferred adjudication for DWI matter as a conviction?

For many reasons, [DWI lawyer near me Texas Criminal Defense Group](#) positive deferred adjudication capacity there may be no conviction (Tex. Code Crim. Proc. Art. 42A.102). But Texas regulation also says a DWI deferred

adjudication nonetheless counts as a prior conviction if the human being is later charged with DWI again (Tex. Penal Code § 49.09(g)). That is a major purpose to focus on long run outcomes before resolving a primary case.

Can I seal or expunge a DWI in Texas?

Sometimes, sure, but it relies upon on how the case ended. Many first DWI circumstances can also qualify later for an **order of nondisclosure**, which seals the checklist from public view if the authorized necessities are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). **Expunction** is unique and may follow after an acquittal, confident dismissals, or a few no-file cases underneath bankruptcy 55A.

Should I take container sobriety exams if I am stopped for suspected DWI?

Texas regulation does no longer require you to carry out area sobriety checks, and declining them does now not lead to an ALR suspension. The standardized checks are the horizontal gaze nystagmus, walk-and-turn, and one-leg stand. Because each discontinue is unique, it is smart to speak with a lawyer after the arrest approximately how the officer treated that a part of the investigation.

Do I need a attorney for a primary DWI in Lubbock?

Many humans settle on it is well worth talking with one for the reason that a first DWI can affect [best dwi lawyer](#) either the prison case and the driving force's license. A **dwi lawyer lubbock** seek routinely starts with fundamental questions on the ALR cut-off date, testing, and you'll effect. Even for a first offense, the payment can bring reformatory publicity, fines, and long-time period record results.

If you have been arrested for DWI in Lubbock County, Texas Criminal Defense Group can clarify the task and what steps may well support secure your rights. Call **(806) 542-3513** for a loose session, or stopover at the place of business at **1001 Texas Ave, Lubbock, TX 79401**.

This page can provide ordinary details about Texas rules, not legal suggestions. Contacting the enterprise does now not create an attorney-shopper courting. Current as of September 2026.