

A **DWI lawyer in Lubbock** let you take care of your license, subject the State's facts, and make trained choices early, specially if this seriously is not your first arrest. If you were arrested for DWI in Lubbock County, a whole lot may well be at stake, along with your driver's license, your criminal list, and in some instances your freedom. One of the primary time limits is separate from the criminal case: under the ALR software, you oftentimes have **15 days from receiving become aware of of suspension** to request a hearing, and in a few blood look at various circumstances the deadline is **20 days from the mailing date of the notice** as a substitute (Tex. Transp. Code §§ 524.031, 724.041).

You do no longer must model this out on my own. Texas Criminal Defense Group provides a unfastened session for humans arrested for DWI in Lubbock County. You can name **(806) 542-3513** to chat by means of what took place, what deadlines apply, and what a better steps may be.

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

After an arrest, the strategy strikes right now, but an arrest isn't similar to a payment or a conviction. In Lubbock County, persons arrested for DWI are repeatedly booked into the **Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403**, which is run with the aid of the Lubbock County Sheriff's Office.

Texas law calls for an **visual appeal ahead of a magistrate** with no pointless put off and within forty eight 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 not less than twice every single day and are reside-streamed. Bond is additionally published on the prison bond window or by way of a bail bond organisation.

A DWI arrest also in the main entails forms that impacts your driver's license. Under Texas implied consent legislations, after a DWI arrest an officer reads the **DIC-24 statutory warning** (Tex. Transp. Code §§ 724.011, 724.1/2). If the officer takes movement that triggers the ALR software, chances are you'll also get hold of a **DIC-25 Notice of Suspension**.

It also allows to keep in mind the difference between 3 levels:

- **Arrested** method regulation enforcement took you into custody on suspicion of DWI.
- **Charged** way prosecutors officially file a felony case.
- **Convicted** means there may be a conviction after a plea, trial, or particular different effect.

In Lubbock County, misdemeanor and criminal DWI cases are prosecuted by way of the **Lubbock County Criminal District Attorney's Office**. Arrests in the region would possibly contain 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 running a motor vehicle in a public situation at the same time as intoxicated (Tex. Penal Code § 49.04). That definition has countless components, and each you can be counted in a genuine case.

"Intoxicated" has **two separate criminal meanings** underneath Texas rules (Tex. Penal Code § forty nine.01(2)). The State might try to turn out both one:

1. You did not have the primary use of your psychological or physical colleges as a consequence of alcohol, a controlled substance, a drug, a detrimental drug, a mixture of these, or a further substance.
2. Your alcohol awareness was once 0.08 or greater.

Because these are two specific paths, anyone shall be arrested for DWI whether a later look at various outcome is under 0.08. The State would nevertheless argue loss of generic use depending on using, statements, visual appeal, box sobriety tests, or other evidence.

Texas law additionally covers extra than alcohol. Drugs, prescription cure, or a blend of elements may possibly help a DWI allegation less than the loss-of-usual-use definition, and **a legitimate prescription isn't really a defense** by using itself (Tex. Penal Code § 49.10).

The State would have to additionally teach you had been **operating** a motor vehicle in a **public place** (Tex. Penal Code §§ forty nine.04, 1.07). "Public place" is broader than many humans predict. It includes not simply roads including I-27, Loop 289, Marsha Sharp Freeway, or Broadway, but additionally puts like parking loads and condominium effortless parts.

Texas additionally treats **DUI via a minor** as a one of a kind offense from DWI. Under Texas legislation, DUI via a minor applies to drivers less than 21 with any detectable amount of alcohol, is a Class C misdemeanor, is not a lesser model of DWI, and does not follow to adults (Tex. Alco. Bev. Code § 106.041). A motive force under 21 can still be charged with full DWI if the facts healthy that statute.

Texas DWI Penalties (Current as of September 2026)

The you could penalties depend on the charge, prior historical past, and specific evidence alleged through the State. The table less than summarizes the offense phases and basic punishment ranges listed in Texas rules.

Offense	Statute	Offense Level	Confinement	Maximum Fine
First DWI	Tex. Penal Code §§ 49.04(b), 12.22	Class B misdemeanor	Minimum 72 hours, as much as 180 days in county reformatory	\$2,000
First DWI with open container in quick possession	Tex. Penal Code § forty nine.04(c)	Class B misdemeanor	Minimum 6 days, up to a hundred and eighty days in county penitentiary	\$2,000
DWI with alcohol awareness of 0.15 or extra at time of evaluation	Tex. Penal Code §§ forty nine.04(d), 12.21	Class A misdemeanor	Up to 1 yr in county prison	\$4,000
DWI in school crossing zone even as diminished college speed prohibit applies	Tex. Penal Code §§ 49.04(e), 12.35	State prison	one hundred eighty days to 2 years in nation penal complex	\$10,000
DWI with passenger youthful than 15	Tex. Penal Code § 49.06	State detention center	one hundred eighty days to 2 years in nation detention center	\$10,000
Second DWI	Tex. Penal Code § forty nine.09(a)	Class A misdemeanor	Minimum 30 days in county detention center, up to 12 months	\$4,000
Third DWI	Tex. Penal Code §§ forty nine.09(b)(2), 12.34	Third-degree felony	2 to ten years in reformatory	\$10,000
Intoxication attack	Tex. Penal Code § 49.07	Third-stage	prison 2 to ten years in penitentiary	\$10,000
Intoxication manslaughter	Tex. Penal Code §§ 49.08, forty nine.09(b-2)	Second-measure	prison, or first-level criminal in designated conditions 2 to 20 years for 2nd-stage felony	\$10,000
Boating whilst intoxicated	Tex. Penal Code § 49.06	Class B misdemeanor	Minimum seventy two hours, as much as one hundred eighty days in county prison	\$2,000

Separate from the prison great, Texas legislations additionally imposes a **country exceptional on last conviction** beneath Transportation Code § 709.001. It is \$three,000 for a first conviction inside of a 36 month interval, \$four,500 for a moment or next conviction inside 36 months, or \$6,000 if the alcohol attention changed into zero.15 or extra. The courtroom needs to waive this kingdom pleasant if the consumer is came across indigent.

Protecting Your Driver's License

A DWI arrest can trigger a license suspension process that is separate from the prison case. Under the ALR application, the movement is a **suspension**, and it does no longer beginning instantly in the mean time of arrest (Tex. Transp. Code §§ 524.031, 724.041).

The ALR hearing and suspension lengths

You primarily have **15 days from receiving word of suspension** to request an ALR hearing (Tex. Transp. Code §§ 524.031, 724.041). In blood examine cases, DPS may well mail the awareness later, after which the request time limit is **20 days from the mailing date**. If no timely request is made, the suspension starts offevolved at the 40th day after [DWI lawyer near me](#) discover. If a timely request is made, the suspension does no longer begin unless the executive legislations pass judgement on decides the case.

ALR hearings are treated by using the **State Office of Administrative Hearings**, most likely which is called SOAH, sooner than an administrative legislation decide. The security can subpoena the arresting officer, which might lend a hand display proof early.

Here are the adult suspension lengths listed inside the statutes:

| ALR groundwork | Suspension duration | |---|---| | Failing a check | ninety days | | Failing a try, with prior alcohol-appropriate or drug-related enforcement touch inside 10 years | 1 yr | | Refusing a take a look at | one hundred eighty days | | Refusing a try, with prior alcohol-appropriate or drug-connected enforcement touch inside 10 years | 2 years |

ALR suspensions should not be probated, and the reinstatement expense is \$125 (Tex. Transp. Code § 724.046). A first DWI conviction may additionally bring a separate suspension of 90 days to at least one yr (Tex. Transp. Code § 521.344(a)).

Occupational motive force's license

If your license is suspended, you may be capable of request an **occupational driving force's license**, additionally also known as an standard desire license (Tex. Transp. Code § 521.2421). For an ALR-best suspension, the petition is filed in the county the place you dwell or the place the arrest occurred. For a suspension that follows a conviction, the petition need to be filed with the court docket of conviction.

The court docket would have to order alcohol-dependence counseling unless it finds sensible intent now not to (Tex. Transp. Code § 521.245). Driving is constrained to four hours a day with the aid of default, and as much as 12 hours a day on a displaying of need (Tex. Transp. Code § 521.248(b)). If the occupational motive force's license requires an ignition interlock equipment, the motive force is exempt from the time, path, and objective limits (Tex. Transp. Code § 521.248(d)). The court docket order works as a transitority 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 via an insurance plan firm. No occupational license is ever issued for driving a business motor motor vehicle (Tex. Transp. Code § 521.2424).

Ignition interlock and SR-22

An ignition interlock software could also be required at a few stages of a DWI case. Texas rules mainly requires it as a **bond condition** for a repeat DWI cost and for DWI with a [dwi lawyer lubbock](#) child passenger, intoxication assault, or intoxication manslaughter charges (Tex. Code Crim. Proc. Art. 17.441).

It is usually required as a **situation of neighborhood supervision** for an alcohol concentration of zero.15 or greater, repeat offenders, and drivers beneath 21 (Tex. Code Crim. Proc. Art. 42A.408). For first-offense deferred adjudication group supervision, an interlock is needed until waived after an evaluate.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi safeguard lawyer** seems to be heavily at how the stop passed off, what the officer seen, what exams were asked, and whether or not the State can turn out intoxication past the arrest report. Many DWI instances activate small print that don't seem to be glaring on the day of arrest.

The visitors stop

A traffic stop needs to be supported with the aid of **inexpensive suspicion**, and an arrest have to be supported by **possibly cause** beneath the Fourth Amendment. A safety lawyer can assessment the cited intent for the stop, the timeline, frame-cam pictures, sprint-cam footage, and no matter if the information enhance the officer's choices.

If the discontinue changed into no longer lawful, or if the arrest lacked probably rationale, which could impression what proof could be used in court docket. The solution relies on the precise details, not simply the offense charged.

Field sobriety tests

Field sobriety assessments don't seem to be required through Texas statute, and declining them does **not** set off an ALR suspension. The standardized tests are the horizontal gaze nystagmus, walk-and-turn, and one-leg stand, which had been constructed by way of NHTSA.

A **lubbock dwi protection lawyer** will most often think of whether the officer used the standardized directions, regardless of whether the circumstances have been truthful, and whether the video fits the record. These checks can seem to be more specified on paper than they do on digital camera.

Breath tests

After a DWI arrest, Texas implied consent law applies, and the officer reads the DIC-24 statutory warning (Tex. Transp. Code §§ 724.011, 724.1/2). A refusal remains you can, but it would deliver a longer ALR suspension and may also be used as evidence at trial (Tex. Transp. Code § 724.061).



Breath exams in Texas are run at the **Intoxilyzer 9000** less than the DPS Breath Alcohol Testing Program, applying qualified operators (Tex. Transp. Code § 724.016). A security lawyer may also evaluate preservation information, calibration history, and operator certification archives to see regardless of whether there are subject matters that count number within the case.

Blood assessments and seek warrants

Since 2021, police probably need a **search warrant** or desirable emergency situations to take blood without consent, even in which a specimen would otherwise be mandatory (Tex. Transp. Code § 724.012(e)). Blood needs to be drawn with the aid of certified group of workers in a sanitary location (Tex. Transp. Code § 724.017).

Blood proof shouldn't be just a host on a record. The defense can learn the warrant, the blood draw strategy, the chain of custody, retention of the sample, and plausible facts approximately the checking out procedure (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018). A human being who gave the officer's asked specimen can also prepare yet another self sufficient blood try out inside of 2 hours of arrest through a qualified person of their picking out, regardless that police are not required to move them (Tex. Transp. Code § 724.019).

You will even listen the phrase **No Refusal**. That is not very a separate regulation. It refers to an enforcement initiative the place officers recurrently are trying to find a choose-signed blood search warrant after a refusal, and the refusal still triggers the ALR suspension.

The zero.15 timing question

A 0.15 allegation would rely on **when the pattern used to be analyzed**, no longer while the character was once driving (Tex. Penal Code § 49.04(d)). That timing component can count considering that alcohol concentration can change through the years.

In a few situations, the protection also can query whether or not a later verify effect moderately displays the extent on the time of driving. That may just end in disputes about timing and retrograde extrapolation.

Possible Outcomes for a First DWI

A first DWI case can even end in special methods, depending at the facts, your historical past, and the prosecutor's choices. No legal professional can promise a consequence, yet it allows to know the fluctuate of likely consequences.

Dismissal would appear in some cases if the details, evidence, or felony issues justify it. A dismissal does now not erase the listing with the aid of itself. If a case is brushed aside, regardless of whether one could later are trying to find an expunction relies upon on the root for the dismissal and different statutory specifications.

Reduction is additionally it is easy to in some circumstances, however basically if the prosecutor concurs and the data assist it. One relief many times viewed in Texas is **Obstructing Highway or Other Passageway** (Tex. Penal Code § 42.03). That shouldn't be handy in each case.

Deferred adjudication group supervision has been purchasable for a primary DWI for the reason that September 1, 2019 (Tex. Code Crim. Proc. Art. 42A.102). If you correctly accomplished it, there's no conviction. But it seriously isn't plausible if the alcohol awareness changed into zero.15 or greater at the time of the offense, whenever you preserve a industrial driving force's license or business learner's permit, if a newborn passenger was interested, or if the fee is enhanced. A DWI deferred adjudication still counts as a previous conviction while you are later charged with DWI lower back (Tex. Penal Code § 49.09(g)).

Community supervision (broadly speaking often called probation) is assorted. It is a conviction with a probated sentence. For misdemeanors, group supervision is capped at 2 years, regardless that it'll be elevated after a contravention (Tex. Code Crim. Proc. Art. 42A.053). Conditions may also incorporate reporting, bills, sessions, network carrier, and oftentimes an ignition interlock system.

Texas law also requires assured education classes in lots of instances. The **DWI Education Program** is 12 hours under TDLR law and is quite often achieved inside a hundred and eighty days of being located on community supervision (Tex. Code Crim. Proc. Art. 42A.403). Repeat offenders attend the **DWI Intervention Program**, that is at the least 30 hours (Tex. Code Crim. Proc. Art. 42A.404).

Trial stays an choice if the case will not be resolved on perfect terms. At trial, the State will have to prove the cost beyond an affordable doubt. Whether a case must always be attempted is dependent on the proof, disadvantages, and ambitions to your challenge.

Records: order of nondisclosure versus expunction

A DWI report isn't very instantly removed. Texas legislation lets in an **order of nondisclosure** in many first DWI circumstances, which seals the report from public view if the statutory necessities are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736).

The ready sessions depend upon how the case ended:

- 2 years after discharge from deferred adjudication
- 2 years after winding up community supervision if an interlock became required for at the least 6 months, differently five years
- 3 years after a conviction with no supervision if an interlock was required for at the least 6 months, otherwise five years

There are relevant limits. A nondisclosure isn't really purchasable for a zero.15 or extra conviction. It is likewise denied if the State proves the offense precipitated a collision concerning a different particular person. Law enforcement and licensing corporations can nevertheless see sealed records.

An **expunction** is exclusive and is ruled by Code of Criminal Procedure bankruptcy 55A (productive January 1, 2025). It may also apply after an acquittal, after sure dismissals, or while bills have been not at all filed and the ready intervals flow. A dismissal on my own does not erase files. A separate expunction petition is required. A conviction that stands won't be expunged, apart from in rare instances akin to a pardon or authentic-innocence relief.

A Texas DWI conviction remains on a offender list permanently. There is not any computerized removing after 7 or 10 years.

Repeat and Felony DWI Charges

Repeat DWI bills are extra critical as a result of prior intoxication offenses can build up each the price stage and the viable punishment. In Texas, past intoxication convictions be counted for enhancement **in spite of how ancient they are**, and out-of-nation priors can count too (Tex. Penal Code § 49.09(c)).

A 2d DWI is a **Class A misdemeanor** with not less than 30 days of confinement (Tex. Penal Code § forty nine.09(a)). A third DWI is more often than not a **third-level felony**, punishable by means of 2 to 10 years in **lubbock dwi defense lawyer** prison and a wonderful as much as \$10,000 (Tex. Penal Code §§ forty nine.09(b)(2), 12.34).

This is one explanation why a **DWI lawyer** will need to appearance rigorously at any prior instances. The questions can embody no matter if the earlier offense qualifies, whether archives are complete, and regardless of whether out-of-state or other intoxication-comparable priors are being alleged suitable. Texas legislations also counts detailed past boating, flying, and enjoyment journey intoxication convictions for enhancement.

Bond conditions can even became stricter in repeat instances. Texas law sometimes requires an **ignition interlock device** as a bond situation for a repeat DWI rate (Tex. Code Crim. Proc. Art. 17.441).

Some DWI-relevant bills are prison-stage even with out prior DWI convictions. For example:

- **DWI with a passenger youthful than 15** is a nation jail legal (Tex. Penal Code § 49.half).
- **Intoxication assault** is a 3rd-measure legal if critical physical harm is caused by explanation why of intoxication (Tex. Penal Code § 49.07).
- **Intoxication manslaughter** is a 2d-stage prison, and in guaranteed circumstances on the grounds that September 1, 2025, it could actually be charged as a first-stage prison, along with whilst more than one individual dies in the same legal transaction (Tex. Penal Code §§ 49.08, 49.09(b-2)).

If you have been arrested returned after a previous DWI, it really is incredible to get criminal information early. The prior case may additionally impression bond, charging point, potential plea alternate options, community supervision suggestions, and destiny listing consequences.

CDL Holders, Texas Tech Students, and Drivers Under 21

Certain communities face added effects after a DWI arrest. CDL holders, college students, and youthful drivers customarily want to think of concerns outdoor the average misdemeanor case.

For **CDL holders**, a zero.04 or more alcohol focus when running a industrial motor auto brings a **1 yr commercial license disqualification** as an administrative motion, now not a felony charge (Tex. Transp. Code § 522.081(b)). A first DWI conviction in any car or truck, or refusing or failing a scan, additionally brings a 12 months CDL disqualification, or 3 years if hauling placarded harmful elements. A second brings a lifetime disqualification (Tex. Transp. Code § 522.081). CDL and business learner's let holders are not eligible for DWI deferred adjudication (Tex. Code Crim. Proc. Art. 42A.102).

For **Texas Tech students**, a collage habits task might also run separately from the crook case. That tuition activity does no longer replace the legal case, and both may perhaps movement on diverse timelines.

For **drivers under 21**, Texas has a separate offense generally known as **DUI via a minor** for driving with any detectable quantity of alcohol (Tex. Alco. Bev. Code § 106.041). That offense is a Class C misdemeanor and is not just like DWI. A driver beneath 21 can nevertheless be charged with DWI if the statistics aid it. Under-21 drivers might also face ignition interlock requirements as a situation of network supervision in a DWI case (Tex. Code Crim. Proc. Art. 42A.408).

A DWI Lawyer Near You in Lubbock

If you have been arrested everywhere in Lubbock County, you are **DWI lawyer** able to converse with a local place of job that handles Texas criminal safeguard subjects. Texas Criminal Defense Group is discovered at **1001 Texas Ave, Lubbock, TX 79401**. The mobilephone number is **(806) 542-3513**.

A **DWI lawyer close me** seek on the whole ability you favor clear solutions instant, from a regulation administrative center that is aware the neighborhood approach. The agency helps laborers arrested in Lubbock County by way of reviewing the prevent, the trying out, the license suspension disorders, and the court docket approach, then explaining what concepts could also be purchasable stylish at the data.

Frequently Asked Questions

How lengthy do I have got to request an ALR listening to after a DWI arrest in Texas?

Usually, you've gotten **15 days from receiving realize of suspension** to request the listening to (Tex. Transp. Code §§ 524.031, 724.041). In some blood verify instances, DPS mails the attention later, and the cut-off date is 20 days from the mailing date in its place. It isn't 15 days from the arrest itself.

Is my license suspended perfect away after a DWI arrest?

No, your license will not be instantly suspended this day of arrest beneath the ALR application (Tex. Transp. Code §§ 524.031, 724.041). If you do not well timed request a listening to, the suspension repeatedly starts on the fortieth day after notice. A timely hearing request stops the suspension from commencing till the judge decides the ALR case.

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

Yes, many drivers can ask for an occupational driving force's license if their commonly used license is suspended (Tex. Transp. Code § 521.2421). The filing area depends on even if the suspension is ALR-in basic terms or follows a conviction. An SR-22 is required, and the courtroom order can serve as a brief license for forty five days.

Can a first DWI be a criminal in Texas?

Yes, a primary DWI may be a legal in detailed circumstances. For instance, DWI with a passenger younger than 15 is a country reformatory legal, and DWI in a college crossing sector whereas the lowered institution pace limit applies can also be a country penal complex legal (Tex. Penal Code §§ 49.05, 49.04(e)).

What is the change between DWI and DUI in Texas?

In Texas, DWI is the person intoxicated using offense, and DUI by a minor is a separate lower than-21 offense (Tex. Penal Code § 49.04; Tex. Alco. Bev. Code § 106.041). DUI by a minor applies to any detectable amount of alcohol, is a Class C misdemeanor, and will not be a lesser model of DWI. Adults is not going to be charged with it.

Does deferred adjudication for DWI be counted as a conviction?

For many applications, helpful deferred adjudication capability there's no conviction (Tex. Code Crim. Proc. Art. 42A.102). But Texas law also says a DWI deferred adjudication nevertheless counts as a previous conviction if the someone is later charged with DWI once more (Tex. Penal Code § 49.09(g)). That is a major purpose to think about long run results in the past resolving a primary case.

Can I seal or expunge a DWI in Texas?

Sometimes, yes, however it relies on how the case ended. Many first DWI circumstances would possibly qualify later for an **order of nondisclosure**, which seals the document from public view if the criminal specifications are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). **Expunction** is extraordinary and may observe after an acquittal, detailed dismissals, or some no-dossier instances below bankruptcy 55A.

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

Texas rules does no longer require you to operate area sobriety tests, and declining them does now not cause an ALR suspension. The standardized checks are the horizontal gaze nystagmus, walk-and-turn, and one-leg stand. Because each forestall is distinctive, it's miles shrewd to speak with a lawyer after the arrest about how the officer handled that a part of the research.

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

Many humans choose it is value communicating with one because a first DWI can have effects on equally the criminal case and the motive force's license. A **dwi legal professional lubbock** search sometimes starts with common questions about the ALR deadline, testing, and probable outcomes. Even for a primary offense, the payment can lift prison exposure, fines, and long-term listing effects.

If you were arrested for DWI in Lubbock County, Texas Criminal Defense Group can provide an explanation for the strategy and what steps may perhaps assist safeguard your rights. Call **(806) 542-3513** for a free session, or discuss with the place of work at **1001 Texas Ave, Lubbock, TX 79401**.

This page gives commonplace data approximately Texas regulation, not felony counsel. Contacting the company does no longer create an lawyer-customer dating. Current as of September 2026.