

TRIALS

Trials conducted in the Glenn Heights Municipal Court of Record are in accordance with the due process requirements of the United States Constitution, Texas Constitution, and Code of Criminal Procedure. Defendants may be represented by an attorney or you may choose to represent yourself.

Article 1.05 of the Texas Code of Criminal Procedure states that a defendant cannot be brought to trial until after being formally charged with the offense in a complaint. The complaint is a sworn document which alleges the offense you are alleged to have committed and that your conduct was unlawful. Only the offenses alleged in the complaint may be brought to trial.

Types of Trials

Jury Trial

Prospective jurors from the community will be summoned to appear. The Municipal Court Prosecutor and the defendant will have the opportunity to question the potential jurors to learn of any biases or prejudices present which could prevent a fair and impartial trial. The judge will decide whether or not to grant request to excuse the juror. The defendant and the prosecutor may each strike three (3) potential jurors from the voir dire. All cases tried in the Municipal Court will be heard by a petit jury which consists of six (6) persons. The six (6) jurors will hear all testimony and decide guilt or innocence and, if directed by the Judge, decide the fine to be assessed for conviction.

Bench Trial

If a defendant elects a Bench Trial, the presiding Judge will hear and decide the case.

The defendant and prosecutor will present his or her evidence to the Judge. The Judge applies the appropriate law, weighs the evidence presented, and renders a verdict of guilty or not guilty. The Judge will also assess the defendant's fine and order the costs and fees to be paid by the defendant when the defendant is found guilty. If the defendant is found not guilty, the case is dismissed and no costs or fines are owed by the defendant.

Continuances

If you need a continuance for your **pretrial hearing**, the request must be submitted four (4) days prior to the scheduled hearing. All requests must be made in writing and must include the reason for the request. Continuances made less than four days will be heard at the beginning of court at the scheduled date and time. The judge will make a decision whether or not to grant the continuance.

If you need a continuance for your **bench or jury trial**, the request must be submitted in writing within ten (10) days of the scheduled trial date and must include the reason for the request. Continuances made less than ten days will be heard at the beginning of court at the scheduled trial date and time. The judge will make a decision whether or not to grant the continuance.