

If you had been arrested for DWI in Lubbock, the future effect is perhaps decreased by appearing early, keeping your license, and closely reviewing the State's proof. A **DWI attorney in Lubbock** help you address two tracks rapidly, the prison case and the driving force's license suspension method. Right away, what is at stake may incorporate your potential to pressure, your criminal list, your budget, and in a few circumstances your freedom.

One closing date concerns suddenly. Under the Texas ALR program, you extensively have 15 days from receiving understand of suspension to request a hearing, and in blood experiment circumstances the closing date is 20 days from the mailing date of the notice (Tex. Transp. Code §§ 524.031, 724.041). If no listening to is asked on time, the suspension in the main starts off on the 40th day after detect. If you want clear answers about what happens next, Texas Criminal Defense Group can provide a loose session at (806) 542-3513.

What Happens After a DWI Arrest in Lubbock

After a DWI arrest in Lubbock County, you're frequently booked into the Lubbock County Detention Center, then taken earlier than a Justice of the Peace devoid of needless delay and inside forty eight hours of arrest (Tex. Code Crim. Proc. Art. 15.17). In Lubbock County, persons arrested are booked at the Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403, that is run through the Lubbock County Sheriff's Office. Arrests might involve the Lubbock Police Department, the Lubbock County Sheriff's Office, the Texas Department of Public Safety, or the Texas Tech University Police Department.

At the appearance ahead of a Justice of the Peace, mostly often called magistration, the court addresses universal rights and bond. Bond may well be published on the jail bond window or because of a bail bond business. Depending at the rate and the individual's history, unlock might also come with stipulations.

You may get hold of office work tied for your driving force's license. After a DWI arrest, Texas implied consent regulation applies, and the officer reads the DIC-24 statutory warning (Tex. Transp. Code §§ 724.011, 724.05). In many instances, the officer additionally subject matters a DIC-25 Notice of Suspension. That observe is what begins the cut-off date to request an ALR hearing.

It also supports to split 3 the several stages:

- **Arrested** manner law enforcement took you into custody.
- **Charged** manner the prosecutor officially filed a crook case.
- **Convicted** capacity there was a in charge searching or plea that counts as a conviction.

Those are usually not the identical factor. A man or woman could be arrested for DWI and still have defenses to boost previously a case leads to court docket.

How Texas Law Defines DWI

In Texas, DWI ability operating a motor vehicle in a public region although intoxicated (Tex. Penal Code § 49.04). "Public situation" is broader than many other people expect. It can come with parking hundreds and residence easy areas (Tex. Penal Code § 1.07).

Texas legislation gives the State two separate ways to try to show intoxication (Tex. Penal Code § 49.01(2)). The first is lack of the widespread use of mental or actual faculties as a result of alcohol, a managed substance, a drug, a unhealthy drug, a blend of those, or some other substance. The 2nd is an alcohol awareness of zero.08 or extra.

That is why a man should be would be could very well be arrested even beneath 0.08. If the State claims you did no longer have the universal use of your colleges, the case does no longer depend merely on more than a few. That same rule applies in situations regarding prescription therapy or different resources, and a valid prescription is just not a safeguard by means of itself (Tex. Penal Code § forty nine.10).

Texas also defines alcohol attention largely. It can be measured by way of breath, blood, or urine (Tex. Penal Code § forty nine.01(1)). In undeniable language, many human beings call this BAC, even if the pattern became now not blood.

One greater element explanations confusion. In Texas, **DUI** is a special offense for drivers beneath 21 with any detectable volume of alcohol, and it is not really a lesser version of DWI (Tex. Alco. Bev. Code § 106.041). Adults shouldn't be charged with that offense. A driving force less than 21 may additionally nonetheless be charged with complete DWI if the details fit the statute.

Texas DWI Penalties (Current as of September 2026)

Texas DWI consequences depend on the tips, the alcohol focus, prior intoxication offenses, and even if anybody turned into injured or a newborn was once existing. The desk lower than lists the offense stages and most consequences set with the aid of Texas legislation.

Offense	Statute	Offense Level	Confinement	Maximum Fine	First DWI
First DWI	Tex. Penal Code §§ forty nine.04(b), 12.22	Class B misdemeanor	72 hours minimal to a hundred and eighty days in county penal complex	\$2,000	Tex. Penal Code § 49.04(c)
First DWI with open field in quick possession	Tex. Penal Code § 49.04(c)	Class B misdemeanor	6 days minimum to one hundred eighty days in county prison	\$2,000	DWI with alcohol awareness of 0.15 or extra at time of analysis
DWI with alcohol awareness of 0.15 or extra at time of analysis	Tex. Penal Code §§ forty nine.04(d), 12.21	Class A misdemeanor	Up to at least one 12 months in county jail	\$four,000	DWI in a institution crossing area even though decreased school pace restriction applies
DWI in a institution crossing area even though decreased school pace restriction applies	Tex. Penal Code §§ forty nine.04(e), 12.35	State prison legal	a hundred and eighty days to 2 years in a kingdom reformatory	\$10,000	DWI with passenger youthful than 15
DWI with passenger youthful than 15	Tex. Penal Code § forty nine.half	State jail criminal	180 days to two years in a nation penitentiary	\$10,000	Second DWI
Second DWI	Tex. Penal Code § 49.09(a)	Class A misdemeanor	30 days minimal in county penitentiary, up to at least one 12 months	\$four,000	Third DWI
Third DWI	Tex. Penal Code §§ 49.09(b)(2), 12.34	Third-diploma felony	2 to ten years in prison	\$10,000	Intoxication attack
Intoxication attack	Tex. Penal Code § 49.07	Third-measure prison	2 to 10 years in felony	\$10,000	Intoxication manslaughter
Intoxication manslaughter	Tex. Penal Code §§ 49.08, 12.33	Second-measure legal	2 to twenty years in jail	\$10,000	Boating at the same time intoxicated
Boating at the same time intoxicated	Tex. Penal Code § forty nine.06	Class B misdemeanor	seventy two hours minimal in county penitentiary	\$2,000	

A closing conviction may even carry a separate country fine beneath Texas Transportation Code § 709.001. That best is \$3,000 for a first conviction within a 36 month length, \$4,500 for a 2d or later conviction within 36 months, or \$6,000 if the alcohol awareness turned into 0.15 or extra. The courtroom needs to waive that nation nice if the particular person is found indigent.

Protecting Your Driver's License

Protecting your license most of the time begins before the criminal case is resolved. The ALR software is break free the legal case, and the suspension is just not computerized at this time of arrest (Tex. Transp. Code §§ 524.031, 724.041). A well timed hearing request stops the suspension from opening unless the executive regulation judge comes to a decision the case.

The ALR hearing and suspension lengths

The ALR hearing is held via the State Office of Administrative Hearings formerly an administrative law decide. The security might subpoena the arresting officer, so the listening to can also be a great early analyze the evidence.

Here are the adult suspension lengths:

| ALR foundation | Suspension length | |---|---| | Failed attempt | ninety days | | Failed examine with prior alcohol-relevant or drug-similar enforcement contact within 10 years | 1 12 months | | Refused look at various | a hundred and eighty days | | Refused attempt with previous alcohol-connected or drug-relevant enforcement contact within 10 years | 2 years |

These suspension sessions come from Texas Transportation Code §§ 524.022 and 724.05. If no listening to is asked on time, the suspension broadly speaking starts at the 40th day after realize. If a suspension is imposed, the reinstatement expense is \$one hundred twenty five, and ALR suspensions can't be probated (Tex. Transp. Code § 724.046).

A first DWI conviction can even cause a separate suspension of 90 days to one 12 months (Tex. Transp. Code § 521.344(a)). That capability whether or not the ALR issue is handled, the crook case can still have an impact on your driving privileges later.

Occupational motive force's license

An occupational driving force's license, additionally called an major want license, may perhaps let constrained using at some stage in a suspension (Tex. Transp. Code § 521.2421). For an ALR-in basic terms suspension, the petition goes to a court within the county where you live or the place the arrest befell. For a suspension that follows a conviction, the petition ought to be filed with the court docket of conviction.

The laws remember. The courtroom will have to order alcohol-dependence counseling except it unearths brilliant result in no longer to (Tex. Transp. Code § 521.245). Driving is confined to four hours an afternoon via default, nevertheless the courtroom may also let up to 12 hours on a displaying of need (Tex. Transp. Code § 521.248(b)). The courtroom order works as a short-term license for 45 days (Tex. Transp. Code § 521.249).

There is no occupational license for riding a industrial motor car (Tex. Transp. Code § 521.2424). An SR-22 may be required.

Ignition interlock and SR-22

An ignition interlock equipment should be required at a couple of ranges of a DWI case. Texas law generally requires interlock as a bond condition for repeat DWI bills and for DWI with a infant passenger, intoxication attack, or intoxication manslaughter prices (Tex. Code Crim. Proc. Art. 17.441). Interlock also is required as a situation of neighborhood supervision for an alcohol awareness of zero.15 or more, repeat offenders, and drivers below 21 (Tex. Code Crim. Proc. Art. 42A.408). It may be required for DWI deferred adjudication unless waived after an evaluate.

An SR-22 seriously is not an insurance policy. It is a Financial Responsibility Insurance Certificate that your assurance agency documents with DPS. Both interlock and SR-22 troubles can have effects on day-to-day existence lengthy after the arrest date, which is one purpose early criminal lend a hand matters.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi safety lawyer** looks for weaknesses in how the end, arrest, checking out, and forms were treated. Not every case has the equal defense, and now not each drawback ends up in dismissal. Still, cautious evaluate also can have an affect on negotiations, motions, the ALR listening to, or trial.

The site visitors stop

The end itself will have to be lawful. Under the Fourth Amendment, a visitors forestall requires good value suspicion, and an arrest calls for possibly trigger. That manner the officer would have to be able to element to specific data assisting the give up and later the arrest.

In a Lubbock case, that can contain reports approximately driving on I-27, Loop 289, Marsha Sharp Freeway, Broadway, or a parking zone. Dash-cam and frame-cam photos can subject. If the video does not match the written record, that will was an tremendous drawback.

Field sobriety tests

Field sobriety assessments are usually not vital in Texas. The standardized exams are the horizontal gaze nystagmus attempt, the walk-and-turn, and the single-leg stand, which were developed through NHTSA. No Texas statute calls for you to participate in them, and declining them does now not set off an ALR suspension.

That does not imply the tests by no means subject. Officers customarily depend on them while figuring out even if there is possible cause to arrest. A protection legal professional could overview how the commands have been given, no matter if the stipulations had been reasonable, and regardless of whether the officer described the outcomes continuously.

Breath tests

Breath checking out in Texas is performed at the Intoxilyzer 9000 under the DPS Breath Alcohol Testing Program, via qualified operators (Tex. Transp. Code § 724.016). Breath facts is additionally challenged in a few tactics. Maintenance records, calibration files, and operator statistics will also be reviewed.

A **DWI lawyer** might also compare the breath effect with video, timing, and the officer's observations. The desktop influence is priceless facts, yet it really is nevertheless evidence that should be would becould very well be examined.

Blood exams and search warrants

Blood testing has its personal guidelines. Since 2021, police on the whole need a search warrant or top emergency occasions to take blood with no consent, even when a specimen is another way necessary (Tex. Transp. Code § 724.012(e)). Blood have got to be drawn by way of certified personnel in a sanitary location (Tex. Transp. Code § 724.017).

Blood samples are retained, and someone can also request complete files approximately the evaluation (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018). Chain-of-custody documents also can be reviewed. If you gave the officer's asked specimen, you may, inside 2 hours of arrest, set up an extra self sustaining blood test by means of a qualified user of your making a choice on, even though police do no longer must shipping you for that try (Tex. Transp. Code § 724.019).

If you refused, that refusal can nevertheless set off an extended ALR suspension and is also used as proof at trial (Tex. Transp. Code § 724.061). During so known as No Refusal enforcement efforts, officials traditionally search a judge-signed blood search warrant after a refusal. No Refusal is absolutely not a separate legislation.

The 0.15 timing question

A zero.15 case will never be normally as simple because the published wide variety. Texas makes the Class A stage rely on the alcohol focus on the time the pattern was analyzed, not inevitably on the time of riding (Tex.

Penal Code § 49.04(d)).

That timing hole can boost questions. Depending at the info, the security also can reflect on the time of driving, the time of the forestall, the time of the verify, and any retrograde extrapolation claim the State may also try to use.

Possible Outcomes for a First DWI

A first DWI case may well end in exceptional techniques, based on the facts, the fee level, and your historical past. The exact answer is case-exceptional, however realizing the latitude of outcomes assist you to concentration on reasonable objectives.

Dismissal

Some situations are pushed aside, but best whilst the info and legislations give a boost to it. A dismissal may possibly turn up owing to a facts downside, a witness drawback, a authorized drawback with the quit or arrest, or some other weak point inside the proof. A dismissal does no longer erase documents with the aid of itself.

Reduction

In a few instances, a DWI fee may well be diminished to Obstructing Highway or Other Passageway (Tex. Penal Code § forty two.03). That selection is dependent on the evidence and the prosecutor. It just isn't handy in every case, and no legal professional can promise it.

Deferred adjudication group supervision

For some first offense circumstances, deferred adjudication network supervision is possible (Tex. Code Crim. Proc. Art. 42A.102). On helpful of completion, there's no conviction. That can make a main long-term distinction.

But the boundaries are strict. It seriously isn't obtainable if the alcohol awareness became 0.15 or greater at the time of the offense, if the human being holds a business motive force's license or business learner's enable, if a infant passenger was involved, or if the price is improved. A DWI deferred adjudication nevertheless counts as a prior conviction if the human being is later charged with DWI to come back (Tex. Penal Code § forty nine.09(g)).

Community supervision

Straight **neighborhood supervision (sometimes often called probation)** is a conviction with a probated sentence (Tex. Code Crim. Proc. Art. 42A.053). In misdemeanor situations, network supervision is capped at 2 years, however it will be multiplied after a contravention. Conditions could comprise sessions, reporting, quotes, and different requisites.

For many first offenders, the DWI Education Program is element of supervision. That application is 12 hours underneath TDLR guidelines and is in most cases performed inside one hundred eighty days after being located on network supervision (Tex. Code Crim. Proc. Art. 42A.403).

Trial

You have the proper to plead no longer to blame and require the State to prove the case. Trial might be the good preference while the evidence is disputed or the sold resolution does now not make sense on your statistics and objectives. A trial also consists of danger, so the determination may still be made after reviewing the facts cautiously.

Records: order of nondisclosure versus expunction

If your case ends favorably, file remedy may also count nearly as so much because the case result. An **order of nondisclosure** can seal many first DWI facts from public view (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). Waiting periods differ. For example, the waiting interval is 2 years after discharge from deferred adjudication, 2 years after polishing off neighborhood supervision if interlock changed into required for a minimum of 6 months, or else five years, and three years after a conviction devoid of supervision if interlock turned into required for in any case 6 months, in another way five years.

A nondisclosure seriously isn't a possibility for a 0.15 or more conviction. It may be denied if the State proves the offense brought on a collision concerning one more person. Law enforcement and licensing companies can nevertheless see sealed data.

Expunction is exceptional. It is ruled by using Chapter 55A of the Code of Criminal Procedure and may practice after an acquittal, after certain dismissals, or when expenses are under no circumstances filed and waiting intervals skip (Tex. Code Crim. Proc. Ch. 55A; Tex. Gov't Code § seventy six.011). A conviction that stands can't be expunged, besides in rare conditions similar to a pardon or surely-innocence aid. A Texas DWI conviction remains on a felony document permanently until a few style of legal alleviation applies. There isn't any computerized removing after 7 or 10 years.

Repeat and Felony DWI Charges

Repeat and prison DWI charges carry a whole lot top menace, and earlier intoxication convictions count number for enhancement notwithstanding how previous they are (Tex. Penal Code § forty nine.09). Texas has no 10 year washout rule for these upgrades. Out-of-state earlier intoxication convictions can count too, and previous boating, flying, and amusement trip intoxication convictions can even remember.

A second DWI is a Class A misdemeanor with no less [lubbock dwi defense lawyer texascriminaldefensegroup.com](http://lubbockdwidefenselawyer.texascriminaldefensegroup.com) than 30 days of confinement (Tex. Penal Code § forty nine.09(a)). A 1/3 DWI is a third-degree prison punishable with the aid of 2 to ten years in penal complex and a quality as much as \$10,000 (Tex. Penal Code §§ forty nine.09(b)(2), 12.34).

Bond conditions is perhaps stricter in repeat instances. Texas law usually calls for an ignition interlock device as a bond situation for a repeat DWI fee (Tex. Code Crim. Proc. Art. 17.441). That can have an effect on paintings, kin schedules, and every day costs even as the case is pending.

Intoxication assault and intoxication manslaughter are also separate legal offenses. Intoxication assault, which involves severe bodily damage due to motive of intoxication, is a third-level criminal (Tex. Penal Code § forty nine.07). Intoxication manslaughter is a 2nd-level legal with a punishment range of 2 to 20 years, and on account that September 1, 2025, it could actually be a primary-measure prison in designated occasions, adding when more than one consumer dies inside the related crook transaction (Tex. Penal Code §§ 49.08, forty nine.09(b-2)).

CDL Holders, Texas Tech Students, and Drivers Under 21

Some drivers face excess effects beyond the conventional DWI consequences. Commercial drivers, college students, and younger drivers could pay close concentration to the ones additional negative aspects.

For CDL holders, the policies are highly strict. A CDL holder with zero.04 or extra while working a advertisement motor automobile faces a 1 12 months advertisement license disqualification, which is an administrative motion rather than a felony price (Tex. Transp. Code § 522.081(b)). A first DWI conviction in any automobile, or refusing or failing a examine, additionally brings a 1 12 months CDL disqualification, or three years if hauling placarded

harmful ingredients. A 2nd disqualification occasion brings a life-time disqualification (Tex. Transp. Code § 522.081).

CDL and industrial learner's enable holders also are no longer eligible for DWI deferred adjudication (Tex. Code Crim. Proc. Art. 42A.102). And no occupational motive force's license is ever issued for driving a advertisement motor car.

For drivers beneath 21, Texas **DWI lawyer** has two separate alcohol offenses. DUI by using a minor capacity riding with any detectable amount of alcohol and is a Class C misdemeanor (Tex. Alco. Bev. Code § 106.041). Full DWI can still be charged if the information make stronger it. Drivers below 21 also can face ignition interlock requisites as a situation of group supervision in DWI cases (Tex. Code Crim. Proc. Art. 42A.408).

For Texas Tech pupils, there is likely to be more than one method going on at the similar time. A university conduct procedure may additionally run one after the other from the crook case. That process does now not exchange the crook case, and the legal case does not automatically control the college job.

A DWI Lawyer Near You in Lubbock

If you have been arrested everywhere in Lubbock County, nearby assistance is conceivable. Texas Criminal Defense Group is found at **1001 Texas Ave, Lubbock, TX 79401**, and the phone variety is **(806) 542-3513**.

A **lubbock dwi safety lawyer** can aid through reviewing the arrest office work, soliciting for the ALR listening to on time when possible, analyzing video and look at various data, and explaining life like chances at every stage. Whether the arrest befell after a traffic cease, in a automobile parking space, or on a avenue like Loop 289 or I-27, the legal points ordinarily commence with the related urgent questions: your license, the evidence, and the you'll be able to long term effect on your document.

Frequently Asked Questions

How long do I need to ask for an ALR listening to after a DWI arrest?

Usually, you might have 15 days from receiving the notice of suspension to request an ALR listening to (Tex. Transp. Code §§ 524.031, 724.041). In blood scan instances, DPS may possibly mail the notice later, and the cut-off date is 20 days from the mailing date. If the request is timely, the suspension does now not get started until eventually the administrative legislation choose comes to a decision the [DWI lawyer near me](#) case.

Is my license suspended correct away after a DWI arrest in Texas?

No, your license shouldn't be immediately suspended in this day and age of arrest (Tex. Transp. Code §§ 524.031, 724.041). In many situations, the officer affords a be aware of suspension, and if no listening to is requested on time, the suspension repeatedly begins at the 40th day after note. The legal case and the ALR suspension are separate matters.

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

Yes, a few drivers may well qualify for an occupational motive force's license throughout the time of a suspension (Tex. Transp. Code §§ 521.2421, 521.248, 521.249). The submitting court docket depends on even if the suspension is ALR-established or follows a conviction. An SR-22 is needed, and using is restrained until the court docket calls for ignition interlock, which modifications these limits.

Can a primary DWI in Texas be a criminal?

Yes, a primary DWI will likely be a prison in distinctive instances. Examples embrace DWI with a passenger young than 15, that is a country penal complex criminal, and DWI in a university crossing area whereas the reduced school velocity prohibit applies, which is likewise a country penal complex criminal (Tex. Penal Code §§ forty nine.05, forty nine.04(e)).

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

DWI and DUI are one-of-a-kind offenses in Texas. DWI applies to running a motor car or truck in a public area when intoxicated (Tex. Penal Code § 49.04). DUI by a minor applies most effective to drivers under 21 with any detectable quantity of alcohol and is a Class C misdemeanor (Tex. Alco. Bev. Code § 106.041).

Does deferred adjudication for DWI matter as a conviction?

No, victorious deferred adjudication does not result in a conviction (Tex. Code Crim. Proc. Art. 42A.102). But for future DWI enhancement purposes, a DWI deferred adjudication still counts as a prior conviction if the man or woman is later charged returned (Tex. Penal Code § 49.09(g)). That is an tremendous future end result to consider previously accepting a plea.

Can I seal or expunge a DWI in Texas?

Sometimes, certain, but it is dependent on how the case ended. Many first DWI circumstances may additionally qualify for an order of nondisclosure, which seals the record from public view if the prison specifications are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). Expunction may also observe after an acquittal, confident dismissals, or when premiums were never filed and ready durations cross (Tex. Code Crim. Proc. Ch. 55A).

What takes place if I refuse a breath or blood experiment?

You can refuse, however refusal has outcomes below Texas implied consent regulation (Tex. Transp. Code §§ 724.011, 724.half, 724.061). For adults, refusal sometimes brings an extended ALR suspension than failing a try, and the refusal will be used as evidence at trial. In a few cases, officials would possibly then searching for a blood seek warrant signed by a judge.

Do I have got to do container sobriety exams in Texas?

No, Texas rules does no longer require you to perform discipline sobriety tests. Declining the standardized exams does now not trigger an ALR suspension. Even so, officials may just still use other observations in figuring out no matter if to arrest, so that's sensible to talk about the details of your end with a lawyer as quickly as you can actually.

Do I need a lawyer for a first DWI?

You don't seem to be legally required to hire one, however many people receive advantages from getting authorized recommendation early. A first DWI can have an effect on your license, rfile, insurance plan, and destiny strategies. If you might be looking out on line for the **the best option dwi lawyer**, a more amazing step is to speak with a lawyer who can clarify the course of, the proof, and the deadlines in your one of a kind case.



If you had been arrested for DWI in Lubbock County, getting professional knowledge early can make a authentic big difference in how you take care of the case and its long term effects. Texas Criminal Defense Group grants a free session at **(806) 542-3513**. The place of business is found at **1001 Texas Ave, Lubbock, TX 79401**.

This web page delivers total awareness approximately Texas law, no longer prison advice. Contacting the agency does no longer create an legal professional-customer relationship. Current as of September 2026.