

If you were arrested for DWI in Lubbock, a **DWI legal professional in Lubbock** let you offer protection to your license, your list, and your freedom by moving promptly, reviewing the forestall and trying out, and guiding you by means of either the legal case and the license case. A DWI arrest can impression your potential to pressure, your activity, and what appears to your prison historical past. It can even cause reformatory publicity, fines, and court docket stipulations if a rate is filed and the case results in a conviction.

One deadline topics good away. Under the Administrative License Revocation, or ALR, program, you routinely have **15 days from receiving note of suspension** to request a listening to, and in a few blood-examine instances the deadline is **20 days from the mailing date of the notice** (Tex. Transp. Code §§ 524.031, 724.041). That deadline does not run from the arrest date. If you choose clear solutions approximately what occurs subsequent, call Texas Criminal Defense Group for a unfastened consultation at **(806) 542-3513**.

What Happens After a DWI Arrest in Lubbock

A DWI arrest in Lubbock County in general starts off with booking, an look formerly a magistrate, and bond. People arrested in Lubbock County are more often than not booked into the **Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403**, which is run via the Lubbock County Sheriff's Office. Arrests inside the domain may just involve the Lubbock Police Department, the Lubbock County Sheriff's Office, the Texas Department of Public Safety, or the Texas Tech University Police Department.

Texas rules calls for an **appearance previously a magistrate** without useless lengthen and within forty eight hours of arrest (Tex. Code Crim. Proc. Art. 15.17). At that hearing, the magistrate explains the accusation, advises you of certain rights, and addresses bond. The Sheriff's Office says those hearings are held at the very least twice on a daily basis and are are living-streamed. Bond would be published at the reformatory bond window or by means of a bail bond brand.

If an officer requested for a breath or blood specimen after a DWI arrest, the officer ought to read the **DIC-24 statutory warning** under Texas implied consent regulation (Tex. Transp. Code §§ 724.011, 724.1/2). In many instances, the officer also provides a **DIC-25 Notice of Suspension** if the officer is beginning an ALR suspension strategy.

It additionally enables to split three varied ranges:

- **Arrested** capacity regulation enforcement took you into custody.
- **Charged** method the prosecutor filed a legal case.
- **Convicted** manner the case ended with a conviction after a plea or trial.

Those aren't the similar factor. Misdemeanor and criminal DWI situations in Lubbock County are prosecuted by the **Lubbock County Criminal District Attorney's Office**.

How Texas Law Defines DWI

In Texas, DWI skill working a motor auto in a public place even as intoxicated (Tex. Penal Code § forty nine.04). "Public position" is broader than many other people count on. It contains places including parking hundreds and condo overall spaces (Tex. Penal Code § 1.07).

Texas rules offers the State **two separate ways** to prove intoxication (Tex. Penal Code § forty nine.01(2)). The first is loss of the fashioned use of intellectual or bodily faculties on account of alcohol, a managed substance, a drug,

a unsafe drug, a aggregate of these ingredients, or some other substance. The 2d is an alcohol focus of **0.08 or more**.

That ability a person may also be arrested for DWI although a breath or blood end result is underneath zero.08, if the State claims the particular person did not have the conventional use of psychological or actual colleges. It additionally skill a case can involve alcohol, prescription therapy, illegal medicinal drugs, or a blend of substances. A legitimate prescription is **not** a security by means of itself (Tex. Penal Code § 49.10).

“Alcohol attention” in Texas can come from **breath, blood, or urine** testing (Tex. Penal Code § 49.01(1)). In undeniable language, many other people call that BAC.

The phrase **operating** also things. Texas legislations focuses on no matter if the State claims you were operating a motor car in a public region. The distinct data, where the auto used to be, and what officers saw can all rely to the safety.

Texas additionally has a varied offense also known as **DUI through a minor**. It applies simplest to drivers lower than 21 with any detectable amount of alcohol (Tex. Alco. Bev. Code § 106.041). It is a **Class C misdemeanor**, it truly is **not** a lesser model of DWI, and adults are not able to be charged with it. A driving force underneath 21 can nevertheless be charged with full DWI if the evidence match that offense.

Texas DWI Penalties (Current as of September 2026)

Texas DWI penalties rely on the tips, prior heritage, and whether the case is charged as a misdemeanor or prison. The table below lists the primary offense degrees and punishment degrees set by **dwi lawyer lubbock** means of statute.

Offense Statute Offense Level Confinement Maximum Fine --- --- --- --- --- First DWI Tex. DWI lawyer Texas Criminal Defense Group Penal Code §§ 49.04(b), 12.22 Class B misdemeanor 72 hours minimal to one hundred eighty days in county reformatory \$2,000 First DWI with open field in immediate ownership Tex. Penal Code § 49.04(c) Class B misdemeanor 6 days minimum to 180 days in county prison \$2,000 DWI with alcohol attention of zero.15 or greater at time of diagnosis Tex. Penal Code §§ forty nine.04(d), 12.21 Class A misdemeanor Up to 1 yr in county jail \$4,000 DWI in university crossing area at the same time lowered institution velocity restrict applies Tex. Penal Code §§ forty nine.04(e), 12.35 State prison criminal one hundred eighty days to 2 years in kingdom detention center \$10,000 DWI with passenger younger than 15 Tex. Penal Code § forty nine.05 State penitentiary prison one hundred eighty days to two years in state jail \$10,000 Second DWI Tex. Penal Code § forty nine.09(a) Class A misdemeanor 30 days minimum in county penal complex \$four,000 Third DWI Tex. Penal Code §§ forty nine.09(b)(2), 12.34 Third-degree prison 2 to ten years in prison \$10,000 Intoxication attack Tex. Penal Code § forty nine.07 Third-measure prison 2 to 10 years in penitentiary \$10,000 Intoxication manslaughter Tex. Penal Code §§ forty nine.08, 12.33 Second-stage prison 2 to 20 years in legal \$10,000 Boating at the same time as intoxicated Tex. Penal Code § forty nine.06 Class B misdemeanor seventy two hours minimal confinement \$2,000

A remaining DWI conviction might also trigger a separate **kingdom fine** under Texas Transportation Code § 709.001. The amount is \$three,000 for a first conviction inside a 36 month length, \$four,500 for a moment or subsequent conviction inside of 36 months, or \$6,000 if the alcohol concentration used to be 0.15 or more. This is furthermore to the legal first-rate. The court docket need to waive the kingdom positive if the consumer is found out indigent.

Protecting Your Driver's License

Protecting your license recurrently requires rapid motion in view that the ALR software is become independent from the offender case. A felony case asks whether or not the State can show DWI. The ALR program asks whether DPS can impose a **suspension** elegant on the take a look at effect or refusal.

The ALR hearing and suspension lengths

You as a rule have **15 days from receiving the attention of suspension** to request an ALR listening to, and in blood-check instances DPS may mail the notice later, making the closing date **20 days from the mailing date** (Tex. Transp. Code §§ 524.031, 724.041). If no hearing is requested, the suspension starts at the fortieth day after observe. If a well timed request is filed, the suspension does no longer start unless the executive legislations decide comes to a decision the case.

ALR hearings are dealt with through the **State Office of Administrative Hearings**, or SOAH, until now an administrative regulation choose. The safety can subpoena the arresting officer, which will also be useful because it's going to screen proof early.

Here are the person ALR suspension lengths:

Basis for suspension	Length
Failed examine	ninety days
Failed take a look at with previous alcohol-linked or drug-similar enforcement contact inside 10 years	1 12 months
Refused look at various	one hundred eighty days
Refused attempt with previous alcohol-linked or drug-appropriate enforcement touch within 10 years	2 years

These suspension lengths come from Texas Transportation Code §§ 524.022 and 724.1/2. ALR suspensions is not going to be probated, and the reinstatement expense is \$125 (Tex. Transp. Code § 724.046). A first DWI conviction might also deliver a **separate** driver's license suspension of 90 days to 1 yr (Tex. Transp. Code § 521.344(a)).

Occupational driving force's license

If your license is suspended, you are going to be capable of ask for an **occupational driving force's license**, also often called an obligatory want license (Tex. Transp. Code § 521.2421). For an ALR-purely suspension, the petition is going to a courtroom in the county wherein you live or wherein the arrest passed off. For a suspension after conviction, the petition will have to be filed with the court docket of conviction.

The historic essential ready periods have been repealed positive September 1, 2023. By default, riding is constrained to **4 hours a day**, but the courtroom can allow up to **12 hours** on a showing of want (Tex. Transp. Code § 521.248(b)). The courtroom order serves as a momentary license for **forty five days** (Tex. Transp. Code § 521.249). The courtroom would have to order alcohol-dependence counseling until it finds very good result in no longer to (Tex. Transp. Code § 521.245).

No occupational license is ever issued for driving a **advertisement motor vehicle** (Tex. Transp. Code § 521.2424).

Ignition interlock and SR-22

An ignition interlock machine is likely to be required at assorted levels of a DWI case. As a bond condition, it is broadly required for a repeat DWI can charge and for DWI with a youngster passenger, intoxication attack, or intoxication manslaughter premiums (Tex. Code Crim. Proc. Art. 17.441). As a condition of neighborhood supervision, it can be required for an alcohol focus of zero.15 or more, repeat offenders, and drivers under 21 (Tex. Code Crim. Proc. Art. 42A.408). It is also required for DWI deferred adjudication unless waived after an analysis.

An **SR-22** is also ordinarily part of getting using privileges to come back. An SR-22 is a **Financial Responsibility Insurance Certificate** filed with DPS by an insurance plan manufacturer. It is a certificate, no longer a policy.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi safeguard lawyer** appears to be like for weaknesses within the give up, arrest, testing, and bureaucracy due to the fact that DWI circumstances pretty much switch on particulars. The goal just isn't to place confidence in one quandary in each and every case. The target is to work out regardless of whether the State can turn out each one section of the case with nontoxic, lawful facts.

The site visitors stop

The first question is in many instances whether the officer had a legal motive to discontinue the auto. Under the Fourth Amendment, a visitors give up calls for **cheap suspicion**, and an arrest requires **probably cause**.

That could make the video and file outstanding. A protection lawyer could review dash-cam footage, physique-cam footage, and what the officer says happened formerly the end. If the give up used to be unlawful, which can affect what facts can be used later.



Field sobriety tests

Field sobriety assessments are usually not required by means of a Texas statute, and declining them does **not** cause an ALR suspension. The standardized assessments are the **horizontal gaze nystagmus**, **walk-and-turn**, and **one-leg stand**, which had been advanced with the aid of NHTSA.

These exams can nonetheless turn out to be proof in the event that they had been played. A lawyer could seriously look into no matter if the instructional materials were clean, whether or not the test circumstances have been honest, and no matter if the video matches the officer's description.

Breath tests

Breath checking out in Texas is carried out on the **Intoxilyzer 9000** lower than ***lubbock dwi defense lawyer Texas Criminal Defense Group*** the DPS Breath Alcohol Testing Program, by using qualified operators (Tex. Transp. Code § 724.016). Breath proof is just not simply a number on a printout.

A safety lawyer might also review maintenance, calibration, and operator information. The timing of the sample and the surrounding information can topic too, distinctly if the prosecution is trying to use a breath end result to end up a larger offense point.

Blood exams and seek warrants

Texas implied consent rules applies after a DWI arrest, and the officer reads the DIC-24 statutory caution explaining the effects of giving or refusing a specimen (Tex. Transp. Code §§ 724.011, 724.05). A refusal remains to be you could, however it might probably end in an extended ALR suspension and should be used as evidence at trial (Tex. Transp. Code § 724.061).

Since 2021, police need a **search warrant** or true emergency instances to take blood devoid of consent, even in instances the place a specimen is otherwise crucial (Tex. Transp. Code § 724.012(e)). Blood need to be drawn with the aid of qualified staff in a sanitary region (Tex. Transp. Code § 724.017). Blood samples are retained, and an individual may request complete records about the analysis (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018).

A grownup who gave the officer's requested specimen can even, inside 2 hours of arrest, organize one more autonomous blood verify by way of a qualified particular person in their selecting, although police will not be required to move them (Tex. Transp. Code § 724.019). Chain-of-custody facts for the pattern could also be reviewed.

You may listen the phrase **No Refusal**. That is the name of an enforcement initiative, now not a law. During those operations, a refusal always leads officers to search a pass judgement on-signed blood seek warrant, and the refusal nonetheless triggers the ALR suspension.

The zero.15 timing question

The Class A DWI point for **zero.15 or more** is measured at the time the pattern is **analyzed**, not at the time of using (Tex. Penal Code § forty nine.04(d)). That timing can topic.

In some situations, the safety can even investigate no matter if the check consequence can reliably be tied again to the time of driving. That trouble can involve the lengthen between riding, arrest, and evaluation.

Possible Outcomes for a First DWI

A first DWI case would possibly end in a couple of completely different ways, based on the info, the proof, and a man's historical past. No legal professional can really promise one effect in advance.

A case might also once in a while be **dismissed**. That can manifest for prison or facts purposes, but a dismissal is consistently assertion exact and is dependent at the prosecution and the court docket job.

A case also can once in a while be **reduced** to **Obstructing Highway or Other Passageway** if the prosecutor concurs and the tips fortify it (Tex. Penal Code § 42.03). Not each and every case qualifies, and no other discount may still be assumed.

A first offense might also qualify for **deferred adjudication neighborhood supervision** lower than Texas regulation (Tex. Code Crim. Proc. Art. 42A.102). On helpful completion, there's **no conviction**. But it isn't always achievable if the alcohol attention used to be zero.15 or more on the time of the offense, if the consumer holds a commercial motive force's license or commercial learner's permit, if a newborn passenger become concerned, or if the price is superior. A DWI deferred adjudication still counts as a previous conviction if the adult is ever charged with DWI back (Tex. Penal Code § forty nine.09(g)).

Another achievable outcome is **group supervision (extensively called probation)**. Straight group supervision is a **conviction with a probated sentence** (Tex. Code Crim. Proc. Art. 42A.053). For misdemeanor situations, group supervision is capped at 2 years, despite the fact that it could be expanded after a violation. Conditions ceaselessly count number as tons because the sentence itself. In DWI circumstances, that would include the **DWI Education Program**, that's 12 hours beneath TDLR laws and is a rule carried out inside of one hundred eighty days of being put on network supervision (Tex. Code Crim. Proc. Art. 42A.403).

And a few instances visit **trial**. At trial, the State would have to prove the can charge past an affordable doubt. Whether trial makes feel depends at the info, the checking out, the give up, the witnesses, and your aims.

Records: order of nondisclosure as opposed to expunction

A DWI file does **not** instantly disappear after a few years. A Texas DWI conviction remains on a legal listing completely unless some separate felony treatment applies.

An **order of nondisclosure** can seal specific first DWI files from public view if the law's requisites are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). Many first DWI circumstances can qualify, yet no longer all. It seriously isn't purchasable for a 0.15 or extra conviction, and it would be denied if the State proves the offense prompted a collision regarding an alternate someone. Law enforcement and licensing groups can nonetheless see sealed records.

The waiting intervals rely upon the effect:

- **2 years** after discharge from deferred adjudication
- **2 years** after polishing off group supervision if interlock changed into required for no less than 6 months, in another way **five years**
- **three years** after a conviction without supervision if interlock used to be required for in any case 6 months, in another way **5 years**

An **expunction** is extraordinary. It is governed via Chapter 55A of the Code of Criminal Procedure and should apply after an acquittal, after designated dismissals, or while fees are not at all filed and waiting classes cross (Tex. Code Crim. Proc. Ch. 55A; Tex. Gov't Code § 76.011). A dismissal does **not** erase documents via itself. An expunction petition is needed. A conviction that stands will not be expunged excluding in infrequent cases comparable to a pardon or truthfully-innocence relief.

Repeat and Felony DWI Charges

Repeat and felony DWI costs are a lot greater extreme when you consider that earlier intoxication convictions can support punishment for existence. Texas has **no 10 year washout** for past intoxication offenses, and out-of-kingdom priors can count (Tex. Penal Code § forty nine.09(c)).

A **moment DWI** is a Class A misdemeanor with no less than 30 days confinement (Tex. Penal Code § forty nine.09(a)). A **3rd DWI** is a third-diploma felony punishable via 2 to 10 years in reformatory and a first-rate up to \$10,000 (Tex. Penal Code §§ forty nine.09(b)(2), 12.34).

Prior boating, flying, and entertainment experience intoxication convictions could also matter for enhancement. That surprises many folks who count on only earlier DWI circumstances count.

Bond conditions can substitute in repeat and felony situations. An ignition interlock device is often required as a bond condition for a repeat DWI can charge and for DWI with a kid passenger, intoxication attack, or intoxication manslaughter (Tex. Code Crim. Proc. Art. 17.441).

Two prison expenses deserve separate mention. **Intoxication assault** is a third-diploma felony if critical physical harm is due to cause of intoxication (Tex. Penal Code § forty nine.07). **Intoxication manslaughter** is a moment-degree criminal, punishable with the aid of 2 to 20 years, and considering September 1, 2025, it may well be a first-measure legal in positive instances, such as while multiple man or woman dies inside the related criminal transaction (Tex. Penal Code §§ 49.08, 49.09(b-2)).

CDL Holders, Texas Tech Students, and Drivers Under 21

Some drivers face added outcomes past the abnormal DWI task. CDL holders, pupils, and drivers under 21 both have separate problems to take into account.

For **CDL holders**, Texas legislation units administrative disqualification policies which can be one-of-a-kind from the criminal rate. A CDL holder with **zero.04 or more** whereas operating a industrial motor automobile faces a **1 year industrial license disqualification** (Tex. Transp. Code § 522.081(b)). Also, a first DWI conviction in **any vehicle**, or refusing or failing a try out, brings a **1 year CDL disqualification**, or **3 years** if hauling placarded unsafe parts. A moment brings a **lifetime disqualification** (Tex. Transp. Code § 522.081). CDL and industrial **DWI lawyer** learner's let holders should not eligible for DWI deferred adjudication (Tex. Code Crim. Proc. Art. 42A.102).

For **Texas Tech students**, the offender case is handiest one section of the photograph. A school habits task might also run individually from the felony case.

For drivers **underneath 21**, the most important level is that Texas has each **DUI with the aid of a minor** and DWI. DUI via a minor is the lower than-21 alcohol offense with any detectable amount of alcohol (Tex. Alco. Bev. Code § 106.041). But a motive force lower than 21 may be charged with complete DWI if the data have compatibility. If a young driving force gets group supervision for DWI, an ignition interlock tool is required for drivers under 21 (Tex. Code Crim. Proc. Art. 42A.408).

A DWI Lawyer Near You in Lubbock

If you need to chat with a **DWI lawyer** after an arrest in Lubbock County, Texas Criminal Defense Group is found at **1001 Texas Ave, Lubbock, TX 79401**. The mobilephone variety is **(806) 542-3513**.

The company supports persons arrested for the duration of Lubbock County, such as arrests connected to roads reminiscent of I-27, Loop 289, Marsha Sharp Freeway, and Broadway. A **Lubbock DWI security lawyer** can evaluation the notice time limits, explain the criminal charge course of, and appear closely on the discontinue, checking out, and video in your case.

Frequently Asked Questions

How lengthy do I should ask for an ALR hearing after a DWI arrest?

You oftentimes have **15 days from receiving the attention of suspension** to request an ALR listening to (Tex. Transp. Code §§ 524.031, 724.041). In some blood-look at various situations, DPS mails the notice later, and the request is due **20 days from the mailing date**. If you are making a timely request, the suspension does no longer start out unless the administrative law decide makes a decision the case.

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

No, your license isn't very instantly suspended presently of arrest. If no listening to is requested, the ALR suspension probably begins on the **fortieth day after notice**. If a timely listening to request is filed, that forestalls the suspension from opening until the ALJ guidelines.

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

Yes, many folks can ask for an occupational driving force's license after a DWI-associated suspension (Tex. Transp. Code § 521.2421). The court docket order can paintings as a non permanent license for **45 days**, and an **SR-22** is needed. But it by no means makes it possible for riding a commercial motor vehicle.

Can a first DWI be a felony in Texas?

Yes, a first DWI might possibly be a felony in a few situations. For example, DWI with a passenger younger than 15 is a **state jail felony** (Tex. Penal Code § 49.half). DWI in a university crossing quarter at the same time the decreased university pace restrict applies also is a **country penitentiary felony** (Tex. Penal Code § forty nine.04(e)).

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

DWI is the adult intoxication offense lower than Penal Code § 49.04. **DUI by means of a minor** is a separate offense for drivers under 21 with any detectable volume of alcohol lower than Alcoholic Beverage Code § 106.041. Adults won't be charged with DUI via a minor, and drivers below 21 can nonetheless be charged with full DWI.

Does deferred adjudication for DWI remember as a conviction?

For so much purposes, triumphant deferred adjudication approach there may be **no conviction**. But Texas rules treats a DWI deferred adjudication as a prior conviction if the consumer is later charged with DWI back (Tex. Penal Code § forty nine.09(g)). It is also now not achievable in every first-offense case.

Can I seal or expunge a DWI in Texas?

Sometimes, sure, yet it is dependent on how the case ended. A qualifying first DWI would later be sealed by means of an **order of nondisclosure**, whilst an **expunction** will be accessible after an acquittal, some dismissals, or if costs were under no circumstances filed and the waiting durations cross. A standing conviction should not be expunged besides in uncommon situations.

What happens if I refused a breath or blood look at various?

A refusal can trigger a longer ALR suspension, and it could possibly be used as evidence at trial (Tex. Transp. Code §§ 724.1/2, 724.061). It does now not cease the investigation. In a few instances, officials may perhaps are seeking for a judge-signed blood search warrant.

Do I have got to do discipline sobriety tests?

No Texas statute requires you to carry out area sobriety exams. Declining them does **not** rationale an ALR suspension. If you probably did operate them, the protection would look at various how the assessments were explained, no matter if the conditions have been fair, and no matter if the video supports the officer's interpretation.

Closing

A DWI arrest can consider overwhelming, yet short, recommended motion can make a real difference in how you manage a higher steps. If you had been arrested in Lubbock County and favor to talk with a **dwi legal professional lubbock** residents can touch for truthful steering, name Texas Criminal Defense Group at **(806) 542-3513** or talk over with **1001 Texas Ave, Lubbock, TX 79401** for a unfastened consultation.

This web page gives well-known understanding approximately Texas regulation, not legal counsel. Contacting the corporation does now not create an legal professional-patron dating. Current as of September 2026.