

If you had been arrested for DWI in Lubbock, a **DWI attorney in Lubbock** can help you shelter your license, your rifle, and your freedom by way of transferring quick, reviewing the give up and checking out, and guiding you through the two the legal case and the license case. A DWI arrest can affect your means to power, your job, and what appears for your criminal historical past. It may bring about penal complex exposure, fines, and courtroom prerequisites if a price is filed and the case results in a conviction.

One time limit concerns desirable away. Under the Administrative License Revocation, or ALR, software, you typically have **15 days from receiving become aware of of suspension** to request a listening to, and in some blood-test circumstances the time limit is **20 days from the mailing date of the notice** (Tex. Transp. Code §§ 524.031, 724.041). That cut-off date does now not run from the arrest date. If you wish clean solutions approximately what happens next, call Texas Criminal Defense Group for a free session at **(806) 542-3513**.

What Happens After a DWI Arrest in Lubbock

A DWI arrest in Lubbock County routinely begins with booking, an appearance previously a magistrate, and bond. People arrested in Lubbock County are most likely booked into the **Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403**, that's run by the Lubbock County Sheriff's Office. Arrests within the area could 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 legislations requires an **look earlier a magistrate** with out pointless hold up and inside forty eight hours of arrest (Tex. Code Crim. Proc. Art. 15.17). At that listening to, the Justice of the Peace explains the accusation, advises you of particular rights, and addresses bond. The Sheriff's Office says those hearings are held at least twice day to day and are dwell-streamed. Bond is usually posted at the penal complex bond window or with the aid of a bail bond firm.

If an officer requested for a breath or blood specimen after a DWI arrest, the officer needs to read the **DIC-24 statutory warning** lower than Texas implied consent rules (Tex. Transp. Code §§ 724.011, 724.05). In many circumstances, the officer also gives a **DIC-25 Notice of Suspension** if the officer is initiating an ALR suspension technique.



It also allows to separate 3 exclusive ranges:

- **Arrested** way rules enforcement took you into custody.
- **Charged** skill the prosecutor filed a prison case.
- **Convicted** capability the case ended with a conviction after a plea or trial.

Those are usually not the comparable issue. Misdemeanor and prison DWI situations in Lubbock County are prosecuted by the **Lubbock County Criminal District Attorney's Office**.

How Texas Law Defines DWI

In Texas, DWI manner running a motor auto in a public position at the same time intoxicated (Tex. Penal Code § 49.04). "Public location" is broader than many worker's are expecting. It contains areas reminiscent of parking much and rental favourite components (Tex. Penal Code § 1.07).

Texas regulation provides the State **two separate ways** to show intoxication (Tex. Penal Code § forty nine.01(2)). The first is lack of the accepted use of psychological or bodily schools by means of alcohol, a managed substance, a drug, a hazardous drug, a aggregate of these resources, or the other substance. The 2nd is an alcohol focus of **zero.08 or more**.

That capacity an individual is usually arrested for DWI no matter if a breath or blood result is lower than 0.08, if the State claims the man or women did not have the average use of intellectual or actual faculties. It also capacity a case **dwi lawyer lubbock** can contain alcohol, prescription drugs, unlawful medications, or a mixture of components. A valid prescription is **not** a security by itself (Tex. Penal Code § forty nine.10).

"Alcohol attention" in Texas can come from **breath, blood, or urine** testing (Tex. Penal Code § forty nine.01(1)). In undeniable language, many persons name that BAC.

The be aware **operating** also topics. Texas legislations focuses on whether the State claims you had been operating a motor auto in a public position. The specific facts, the place the car become, and what officers seen can all be counted to the safety.

Texas also has a various offense often known as **DUI by way of a minor**. It applies solely to drivers less than 21 with any detectable amount of alcohol (Tex. Alco. Bev. Code § 106.041). It is a **Class C misdemeanor**, it can be **not** a lesser edition of DWI, and adults won't be charged with it. A motive force beneath 21 can nonetheless be charged with complete DWI if the info more healthy that offense.

Texas DWI Penalties (Current as of September 2026)

Texas DWI consequences depend on the records, prior heritage, and regardless of whether the case is charged as a misdemeanor or prison. The table less than lists the user-friendly offense levels and punishment ranges set by means of statute.

Offense	Statute	Offense Level	Confinement	Maximum Fine	First DWI
Tex. Penal Code §§ 49.04(b), 12.22	Class B misdemeanor	seventy two hours minimum to a hundred and eighty days in county reformatory	\$2,000	First DWI with open field in prompt ownership	Tex. Penal Code § forty nine.04(c)
Class B misdemeanor	6 days minimum to a hundred and eighty days in county prison	\$2,000	DWI with alcohol awareness of zero.15 or greater at time of diagnosis	Tex. Penal Code §§ forty nine.04(d), 12.21	Class A misdemeanor
Up to at least one yr in county jail	\$4,000	DWI in university crossing quarter when reduced faculty speed restrict applies	Tex. Penal Code §§ 49.04(e), 12.35	State detention center prison	one hundred eighty days to 2 years in country detention center
\$10,000	DWI with passenger younger than 15	Tex. Penal Code § 49.1/2	State detention center felony	one hundred eighty days to two years in kingdom penal complex	\$10,000
Second DWI	Tex. Penal Code § forty nine.09(a)	Class A misdemeanor	30 days minimum in county detention center	\$4,000	Third DWI
Tex. Penal Code §§ forty nine.09(b)(2), 12.34	Third-degree prison	2 to 10 years in reformatory	\$10,000	Intoxication assault	Tex. Penal Code § 49.07
Third-diploma legal	2 to ten years in prison	\$10,000	Intoxication manslaughter	Tex. Penal Code §§ 49.08, 12.33	Second-diploma felony
2 to twenty years in detention center	\$10,000	Boating at the same time intoxicated	Tex. Penal Code § forty nine.06	Class B misdemeanor	seventy two hours minimal confinement
\$2,000					

A last DWI conviction could also trigger a separate **nation fine** below Texas Transportation Code § 709.001. The amount is \$three,000 for a primary conviction inside a 36 month period, \$four,500 for a moment or subsequent conviction within 36 months, or \$6,000 if the alcohol awareness was zero.15 or more. This is to boot to the crook exceptional. The court docket will have to waive the state fantastic if the grownup is determined indigent.

Protecting Your Driver's License

Protecting your license probably calls for rapid motion given that the ALR application is break free the legal case. A [lubbock dwi defense lawyer](#) crook case asks whether the State can end up DWI. The ALR application asks whether or not DPS can impose a **suspension** based at the scan outcomes or refusal.

The ALR hearing and suspension lengths

You quite often have **15 days from receiving the notice of suspension** to request an ALR listening to, and in blood-verify instances DPS may well mail the awareness later, making the cut-off date **20 days from the mailing date** (Tex. Transp. Code §§ 524.031, 724.041). If no hearing is asked, the suspension starts at the 40th day after

word. If a timely request is filed, the suspension does no longer soar until the administrative law pass judgement on makes a decision the case.

ALR hearings are treated by means of the **State Office of Administrative Hearings**, or SOAH, earlier than an administrative legislations choose. The protection can subpoena the arresting officer, which will likely be positive considering that it could actually screen evidence early.

Here are the grownup ALR suspension lengths:

| Basis for suspension | Length | |---|---| | Failed scan | ninety days | | Failed scan with previous alcohol-comparable or drug-connected enforcement contact inside 10 years | 1 yr | | Refused experiment | one hundred eighty days | | Refused try out with earlier alcohol-same or drug-similar enforcement touch within 10 years | 2 years |

These suspension lengths come from Texas Transportation Code §§ 524.022 and 724.05. ALR suspensions can not be probated, and the reinstatement rate is \$one hundred twenty five (Tex. Transp. Code § 724.046). A first DWI conviction may also convey a **separate** driving force's license suspension of ninety days to one year (Tex. Transp. Code § 521.344(a)).

Occupational motive force's license

If your license is suspended, you can be able to ask for an **occupational driver's license**, additionally called an crucial want license (Tex. Transp. Code § 521.2421). For an ALR-handiest suspension, the petition goes to a court docket within the county the place you reside or wherein the arrest came about. For a suspension after conviction, the petition needs to be filed with the court docket of conviction.

The outdated crucial waiting sessions had been repealed fantastic September 1, 2023. By default, using is confined to **4 hours a day**, but the court docket can let up to **12 hours** on a showing of need (Tex. Transp. Code § 521.248(b)). The courtroom order serves as a brief license for **45 days** (Tex. Transp. Code § 521.249). The courtroom would have to order alcohol-dependence counseling unless it reveals very good lead to now not to (Tex. Transp. Code § 521.245).

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

Ignition interlock and SR-22

An ignition interlock instrument may be required at various phases of a DWI case. As a bond condition, it truly is traditionally required for a repeat DWI payment and for DWI with a little one passenger, intoxication assault, or intoxication manslaughter prices (Tex. Code Crim. Proc. Art. 17.441). As a circumstance of group supervision, it is required for an alcohol focus of 0.15 or more, repeat offenders, and drivers lower than 21 (Tex. Code Crim. Proc. Art. 42A.408). It can also be required for DWI deferred adjudication except waived after an review.

An **SR-22** is likewise characteristically element of getting using privileges back. An SR-22 is a **Financial Responsibility Insurance Certificate** filed with DPS with the aid of an insurance coverage corporation. It is a certificates, not a coverage.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi protection lawyer** looks for weaknesses inside the quit, arrest, checking out, and bureaucracy for the reason that DWI circumstances basically turn on details. The target is simply not to rely upon one hindrance in every case. The intention is to see whether or not the State can prove each one portion of the case with nontoxic, lawful evidence.

The site visitors stop

The first query is typically even if the officer had a prison reason to forestall the auto. Under the Fourth Amendment, a site visitors forestall calls for **budget friendly suspicion**, and an arrest calls for **in all likelihood cause**.

That can make the video and file significant. A security attorney would possibly evaluation dash-cam footage, frame-cam photos, and what the officer says occurred until now the forestall. If the prevent used [lubbock dwi defense lawyer Texas Criminal Defense Group](#) to be unlawful, that can have an impact on what facts could also be used later.

Field sobriety tests

Field sobriety exams are not required through a Texas statute, and declining them does **not** set off an ALR suspension. The standardized checks are the **horizontal gaze nystagmus**, **stroll-and-turn**, and **one-leg stand**, which were evolved via NHTSA.

These tests can nevertheless became evidence in the event that they have been executed. A lawyer might check out whether the guidance have been clear, regardless of whether the try situations had been reasonable, and regardless of whether the video fits the officer's description.

Breath tests

Breath testing in Texas is achieved at the **Intoxilyzer 9000** less than the DPS Breath Alcohol Testing Program, employing qualified operators (Tex. Transp. Code § 724.016). Breath evidence is not really just a number of on a printout.

A safeguard lawyer may evaluation renovation, calibration, and operator history. The timing of the sample and the surrounding facts can count too, specifically if the prosecution is making an attempt to apply a breath outcomes to prove a better offense stage.

Blood checks and seek warrants

Texas implied consent regulation applies after a DWI arrest, and the officer reads the DIC-24 statutory caution explaining the results of giving or refusing a specimen (Tex. Transp. Code §§ 724.011, 724.half). A refusal is still attainable, however it may well end in an extended ALR suspension and is perhaps used as evidence at trial (Tex. Transp. Code § 724.061).

Since 2021, police need a **seek warrant** or accurate emergency cases to take blood with out consent, even in cases in which a specimen is in any other case mandatory (Tex. Transp. Code § 724.012(e)). Blood would have to be drawn with the aid of certified personnel in a sanitary vicinity (Tex. Transp. Code § 724.017). Blood samples are retained, and somebody can also request complete recordsdata approximately the research (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018).

A person who gave the officer's asked specimen would, inside of 2 hours of arrest, set up an extra unbiased blood test through a certified man or woman in their deciding on, though police are usually not required to transport them (Tex. Transp. Code § 724.019). Chain-of-custody documents for the sample could also be reviewed.

You also can listen the phrase **No Refusal**. That is the call of an enforcement initiative, no longer a regulation. During these operations, a refusal on the whole leads officers to look for a choose-signed blood search warrant, and the refusal nonetheless triggers the ALR suspension.

The zero.15 timing question

The Class A DWI degree for **0.15 or more** is measured at the time the pattern is **analyzed**, no longer on the time of driving (Tex. Penal Code § 49.04(d)). That timing can remember.

In some instances, the safety might also determine no matter if the try out end result can reliably be tied again to the time of riding. That thing can contain the prolong among riding, arrest, and diagnosis.

Possible Outcomes for a First DWI

A first DWI case may additionally result in various exclusive techniques, depending on the data, the proof, and somebody's historical past. No lawyer can really promise one end result earlier.

A case can even frequently be **dismissed**. That can manifest for authorized or facts motives, however a dismissal is constantly actuality express and is dependent on the prosecution and the court approach.

A case might also often times be **reduced** to **Obstructing Highway or Other Passageway** if the prosecutor is of the same opinion and the tips strengthen it (Tex. Penal Code § forty two.03). Not each and every case qualifies, and no different discount needs to be assumed.

A first offense may qualify for **deferred adjudication group supervision** underneath Texas regulation (Tex. Code Crim. Proc. Art. 42A.102). On victorious of entirety, there is **no conviction**. But it will not be purchasable if the alcohol focus used to be 0.15 or greater on the time of the offense, if the person holds a industrial driver's license or advertisement learner's allow, if a youngster passenger become fascinated, or if the cost is more suitable. A DWI deferred adjudication still counts as a prior conviction if the user is ever charged with DWI returned (Tex. Penal Code § 49.09(g)).

Another possible result is **community supervision (generally referred to as probation)**. Straight neighborhood supervision is a **conviction with a probated sentence** (Tex. Code Crim. Proc. Art. 42A.053). For misdemeanor cases, group supervision is capped at 2 years, though it will be prolonged after a contravention. Conditions almost always remember as tons as the sentence itself. In DWI circumstances, that will consist of the **DWI Education Program**, that is 12 hours below TDLR guidelines and is greatly finished within a hundred and eighty days of being placed on group supervision (Tex. Code Crim. Proc. Art. 42A.403).

And some situations go to **trial**. At trial, the State must end up the charge beyond an inexpensive doubt. Whether trial makes sense relies upon at the data, the testing, the end, the witnesses, and your desires.

Records: order of nondisclosure as opposed to expunction

A DWI listing does **not** robotically disappear after a few years. A Texas DWI conviction remains on a prison report permanently except some separate felony alleviation applies.

An **order of nondisclosure** can seal specified first DWI facts from public view if the rules's necessities are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). Many first DWI circumstances can qualify, but no longer all. It is not very available for a 0.15 or extra conviction, and it might be denied if the State proves the offense induced a collision regarding one other user. Law enforcement and licensing enterprises can nonetheless see sealed files.

The waiting sessions rely on the outcomes:

- **2 years** after discharge from deferred adjudication
- **2 years** after completing network supervision if interlock become required for a minimum of 6 months, in a different way **five years**

- **3 years** after a conviction with no supervision if interlock turned into required for a minimum of 6 months, otherwise **five years**

An **expunction** is exceptional. It is ruled by way of Chapter 55A of the Code of Criminal Procedure and can apply after an acquittal, after yes dismissals, or whilst fees are never filed and ready classes circulate (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 won't be able to be expunged until in rare scenarios corresponding to a pardon or definitely-innocence reduction.

Repeat and Felony DWI Charges

Repeat and criminal DWI premiums are lots more extreme for the reason that earlier intoxication convictions can improve punishment for existence. Texas has **no 10 year washout** for prior intoxication offenses, and out-of-country priors can count (Tex. Penal Code § 49.09(c)).

A **second DWI** is a Class A misdemeanor with at least 30 days confinement (Tex. Penal Code § 49.09(a)). A **third DWI** is a 3rd-degree legal punishable via 2 to 10 years in legal and a fantastic as much as \$10,000 (Tex. Penal Code §§ forty nine.09(b)(2), 12.34).

Prior boating, flying, and enjoyment journey intoxication convictions may additionally be counted for enhancement. That surprises many folks that think in basic terms earlier DWI circumstances matter.

Bond situations can exchange in repeat and felony situations. An ignition interlock tool is ordinarily required as a bond situation for a repeat DWI charge and for DWI with a baby passenger, intoxication assault, or intoxication manslaughter (Tex. Code Crim. Proc. Art. 17.441).

Two prison expenses deserve separate point out. **Intoxication assault** is a third-measure prison if critical physically injury is due to motive of intoxication (Tex. Penal Code § 49.07). **Intoxication manslaughter** is a 2nd-diploma felony, punishable via 2 to 20 years, and seeing that September 1, 2025, it can be a primary-stage felony in particular conditions, along with when multiple someone dies inside the related felony transaction (Tex. Penal Code §§ 49.08, forty nine.09(b-2)).

CDL Holders, Texas Tech Students, and Drivers Under 21

Some drivers face more consequences beyond the bizarre DWI process. CDL holders, pupils, and drivers below 21 each one have separate issues to take into account.

For **CDL holders**, Texas law sets administrative disqualification rules which might be distinct from the crook cost. A CDL holder with **zero.04 or more** even as running a commercial motor car or truck faces a **1 12 months commercial license disqualification** (Tex. Transp. Code § 522.081(b)). Also, a first DWI conviction in **any vehicle**, or refusing or failing a verify, brings a **1 12 months CDL disqualification**, or **3 years** if hauling placarded damaging elements. A 2d brings a **lifetime disqualification** (Tex. Transp. Code § 522.081). CDL and commercial learner's permit holders will not be eligible for DWI deferred adjudication (Tex. Code Crim. Proc. Art. 42A.102).

For **Texas Tech students**, the legal case is most effective one portion of the graphic. A institution behavior procedure also can run separately from the prison case.

For drivers **underneath 21**, the major factor is that Texas has the two **DUI through a minor** and DWI. DUI by a minor is the beneath-21 alcohol offense with any detectable amount of alcohol (Tex. Alco. Bev. Code § 106.041). But a motive force underneath 21 may also be charged with complete DWI if the records match. If a young

driving force receives group supervision for DWI, an ignition interlock gadget is required for drivers under 21 (Tex. Code Crim. Proc. Art. 42A.408).

A DWI Lawyer Near You in Lubbock

If you desire to talk with a **DWI lawyer** after an arrest in Lubbock County, Texas Criminal Defense Group is positioned at **1001 Texas Ave, Lubbock, TX 79401**. The smartphone range is **(806) 542-3513**.

The organization facilitates americans arrested all through Lubbock County, which include arrests related to roads together with I-27, Loop 289, Marsha Sharp Freeway, and Broadway. A **Lubbock DWI defense lawyer** can review the awareness deadlines, explain the offender charge process, and seem to be closely at the forestall, checking out, and video for your case.

Frequently Asked Questions

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

You usually have **15 days from receiving the notice of suspension** to request an ALR hearing (Tex. Transp. Code §§ 524.031, 724.041). In a few blood-try situations, DPS mails the notice later, and the request is due **20 days from the mailing date**. If you're making a timely request, the suspension does not start off until eventually the executive regulation pass judgement on decides the case.

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

No, your license is not automatically suspended right this moment of arrest. If no hearing is requested, the ALR suspension pretty much starts at the **40th day after notice**. If a well timed listening to request is filed, that stops the suspension from starting unless the ALJ suggestions.

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

Yes, many worker's can ask for an occupational driver's license after a DWI-same suspension (Tex. Transp. Code § 521.2421). The courtroom order can work as a momentary license for **forty five days**, and an **SR-22** is needed. But it not ever allows for driving a business motor motor vehicle.

Can a primary DWI be a prison in Texas?

Yes, a primary DWI might be a criminal in some eventualities. For instance, DWI with a passenger youthful than 15 is a **country penitentiary felony** (Tex. Penal Code § 49.05). DWI in a institution crossing zone whilst the diminished university velocity limit applies is also a **state penal complex felony** (Tex. Penal Code § 49.04(e)).

What is the change among DWI and DUI in Texas?

DWI is the person intoxication offense under Penal Code § 49.04. **DUI by means of a minor** is a separate offense for drivers lower than 21 with any detectable quantity of alcohol under Alcoholic Beverage Code § 106.041. Adults is not going to be charged with DUI by way of a minor, and drivers below 21 can nonetheless be charged with complete DWI.

Does deferred adjudication for DWI rely as a conviction?

For such a lot reasons, winning deferred adjudication ability there is **no conviction**. But Texas rules treats a DWI deferred adjudication as a previous conviction if the someone is later charged with DWI back (Tex. Penal Code §

49.09(g)). It could also be now not reachable in each and every first-offense case.

Can I seal or expunge a DWI in Texas?

Sometimes, convinced, but it relies upon on how the case ended. A qualifying first DWI may also later be sealed by way of an **order of nondisclosure**, at the same time an **expunction** is likely to be to be had after an acquittal, a few dismissals, or if fees had been certainly not filed and the waiting periods bypass. A standing conviction won't be able to be expunged until in rare eventualities.

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

A refusal [best dwi lawyer](#) can set off a longer ALR suspension, and it could actually be used as evidence at trial (Tex. Transp. Code §§ 724.1/2, 724.061). It does no longer end the investigation. In some situations, officials could search a judge-signed blood search warrant.

Do I ought to do discipline sobriety exams?

No Texas statute requires you to perform field sobriety exams. Declining them does **not** motive an ALR suspension. If you probably did perform them, the safety can even verify how the tests have been defined, regardless of whether the situations have been reasonable, and no matter if the video helps the officer's interpretation.

Closing

A DWI arrest can sense overwhelming, but quickly, informed motion could make a genuine distinction in the way you maintain the subsequent steps. If you have been arrested in Lubbock County and would like to talk with a **dwi legal professional lubbock** citizens can touch for trouble-free information, name Texas Criminal Defense Group at **(806) 542-3513** or stopover at **1001 Texas Ave, Lubbock, TX 79401** for a unfastened session.

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