

A **DWI attorney in Lubbock** can guide shelter your license, your record, and your freedom after an arrest. If you had been arrested for DWI in Lubbock County, the case sometimes has two tracks from the beginning: the offender case and the driving force's license suspension activity lower than the ALR software. One of the so much very important cut-off dates comes early. In maximum circumstances, you might have 15 days from receiving notice of suspension to request an ALR hearing, and in blood-verify cases the deadline is 20 days from the mailing date of the attention (Tex. Transp. Code §§ 524.031, 724.041). If no request is made, the suspension regularly starts at the fortieth day after word.

You do not should sort this out on my own. Texas Criminal Defense Group bargains a free session for workers arrested for DWI in Lubbock County. You can name **(806) 542-3513** to talk by what passed off and what points in time may just follow.

What Happens After a DWI Arrest in Lubbock

After a DWI arrest in Lubbock County, you might be as a rule booked into penitentiary, taken previously a magistrate, and given office work that affects equally the crook case and your license. People arrested in Lubbock County are booked into the **Lubbock County Detention Center, 3502 N. Holly, Lubbock, TX 79403**, that is run by using the Lubbock County Sheriff's Office.

Texas legislation calls for an **visual appeal earlier a magistrate** devoid of needless put off and within forty eight hours of arrest (Tex. Code Crim. Proc. Art. 15.17). The Sheriff's Office says those hearings are held in any case two times everyday and are live-streamed. At that level, bond is likely to be set, and bond will probably be published on the penal complex bond window or by a bail bond business enterprise.

If an officer asked a breath or blood specimen after the arrest, the officer could examine the **DIC-24 statutory warning** underneath Texas implied consent legislations (Tex. Transp. Code §§ 724.011, 724.half). In many cases, an individual additionally gets a **DIC-25 Notice of Suspension**, which starts offevolved the clock for soliciting for an ALR listening to in refusal or failed-test cases.

It also is helping to separate three diversified thoughts:

- **Arrested** way rules enforcement took you into custody on suspicion of DWI.
- **Charged** capability the prosecution formally documents the crook case.
- **Convicted** capability there may be a conviction after a plea, trial, or distinctive different outcome allowed by legislation.

Those are usually not the identical aspect. A someone shall be arrested for DWI and now have felony and factual complications to raise later.

Arrests inside the field would involve the Lubbock Police Department, the Lubbock County Sheriff's Office, the Texas Department of Public Safety, or the Texas Tech University Police Department. Misdemeanor and legal DWI cases are prosecuted by using the Lubbock County Criminal District Attorney's Office.

How Texas Law Defines DWI

In Texas, DWI potential running a motor vehicle in a public region although intoxicated (Tex. Penal Code § 49.04). The State can try and show intoxication in two separate techniques beneath the statute, and either one can reinforce a cost.

First, somebody is intoxicated in the event that they do no longer have the overall use of psychological or bodily schools attributable to alcohol, a managed substance, a drug, a detrimental drug, a combo of these ingredients, or every other substance (Tex. Penal Code § 49.01(2)). Second, someone is intoxicated in the event that they have an alcohol concentration of 0.08 or greater (Tex. Penal Code §§ 49.01(1), 49.01(2)). Because these are unbiased definitions, a man can be arrested underneath 0.08 if the officer claims the adult lacked the commonplace use of mental or bodily schools.

That additionally manner prescriptions can turn out to be portion of a DWI case. A valid prescription seriously isn't a safeguard by using itself if the State claims the drugs affected your normal use of mental or bodily colleges (Tex. Penal Code § forty nine.10).

The be aware **operating** things due to the fact that the State need to display more than elementary presence in a car. The phrase **public place** concerns too. Under Texas law, a public region carries regions like parking masses and house primary spaces, now not just a freeway or fundamental highway (Tex. Penal Code § 1.07).

Texas also treats **DUI** in another way. For drivers underneath 21, DUI by means of a minor is a separate offense stylish on any detectable volume of alcohol in the frame (Tex. Alco. Bev. Code § 106.041). It is a Class C misdemeanor, it is not very a lesser version of DWI, and adults cannot be charged with it. A motive force under 21 can nevertheless be charged with complete DWI if the records suit the DWI statute.

Texas DWI Penalties (Current as of September 2026)

Texas DWI consequences can vary from a misdemeanor with minimum penitentiary time to serious legal costs, relying at the data and any previous convictions. The desk less than summarizes the offense ranges and optimum consequences recounted within the indexed statutes.

Offense	Statute	Offense Level	Confinement	Maximum Fine
First DWI	Tex. Penal Code §§ 49.04(b), 12.22	Class B misdemeanor	Minimum seventy two hours to 180 days in county penitentiary	\$2,000
First DWI with open field in quick possession	Tex. Penal Code § 49.04(c)	Class B misdemeanor	Minimum 6 days to one hundred eighty days in county reformatory	\$2,000
DWI with alcohol attention of zero.15 or extra at time of prognosis	Tex. Penal Code §§ 49.04(d), 12.21	Class A misdemeanor	Up to 1 yr in county penal complex	\$four,000
DWI in college crossing zone although reduced faculty pace prohibit applies	Tex. Penal Code §§ 49.04(e), 12.35	State penitentiary prison	a hundred and eighty days to two years in nation penal complex	\$10,000
DWI with passenger youthful than 15	Tex. Penal Code § forty nine.half	State jail criminal	a hundred and eighty days to two years in nation penal complex	\$10,000
Second DWI	Tex. Penal Code § forty nine.09(a)	Class A misdemeanor	Minimum 30 days to at least one 12 months in county prison	\$four,000
Third DWI	Tex. Penal Code §§ 49.09(b)(2), 12.34	Third-level felony	2 to 10 years in criminal	\$10,000
Intoxication attack	Tex. Penal Code § forty nine.07	Third-stage prison	2 to 10 years in detention center	\$10,000
Intoxication manslaughter	Tex. Penal Code §§ forty nine.08, 12.33	Second-measure legal	2 to 20 years in felony	\$10,000
Boating when intoxicated	Tex. Penal Code § 49.06	Class B misdemeanor	Minimum 72 hours to one hundred eighty days in county penal complex	\$2,000

On closing conviction, Texas legislation also imposes a separate **kingdom fine** below Transportation Code § 709.001. It is \$three,000 for a first conviction within a 36-month interval, \$4,500 for a second or next conviction within 36 months, or \$6,000 if the alcohol awareness was once 0.15 or greater. The courtroom would have to waive that country satisfactory if the consumer is discovered indigent (Tex. Transp. Code § 709.001).

Protecting Your Driver's License

Your license will not be routinely suspended the instant you are arrested, but the time limit to struggle a suspension can arrive swift. Under the ALR application, a timely hearing request stops the suspension from opening till the administrative regulation judge makes a decision the case (Tex. Transp. Code §§ 524.031, 724.041).

The ALR hearing and suspension lengths

The ALR hearing is dealt with by the State Office of Administrative Hearings, in most cases generally known as SOAH, previously an administrative law decide. The safeguard can subpoena the arresting officer, which may lend a hand exhibit facts early inside the case.

If you obtained notice, the generic deadline is 15 days from receiving the attention of suspension. In blood-look at various circumstances, DPS may mail the notice later, and the request is due 20 days from the mailing date. If no **DWI lawyer** well timed request is made, the suspension starts off on the fortieth day after realize (Tex. Transp. Code §§ 524.031, 724.041).

| ALR element | Adult suspension size | |---|---| | Failed experiment | ninety days | | Failed test with past alcohol-relevant or drug-relevant enforcement touch inside of 10 years | 1 yr | | Refused experiment | a hundred and eighty days | | Refused test with earlier alcohol-linked or drug-relevant enforcement touch inside 10 years | 2 years |

These suspension lengths come from Transportation Code §§ 524.022 and 724.05. ALR suspensions won't be probated, and the reinstatement fee is \$one hundred twenty five (Tex. Transp. Code § 724.046). A first DWI conviction may additionally lead to a separate license suspension of ninety days to one yr (Tex. Transp. Code § 521.344(a)).

Occupational driving force's license

An **occupational driver's license**, also often called an vital desire license, can even allow restrained prison driving throughout a suspension if the courtroom provides it (Tex. Transp. Code § 521.2421). For an ALR-simply suspension, the petition is going to a court in the county wherein you stay or the place the arrest befell. For a suspension that follows a conviction, the petition would have to be filed with the courtroom of conviction.

The court docket will have to order alcohol-dependence counseling until it reveals suitable reason now not to (Tex. Transp. Code § 521.245). Driving is restrained by default to four hours a day, however the courtroom can permit as much as 12 hours on a displaying of need (Tex. Transp. Code § 521.248(b)). If the occupational driver's license calls for an ignition interlock device, the motive force is exempt from the same old time, path, and aim limits (Tex. Transp. Code § 521.248(d)).

The court order works as a transient license for 45 days (Tex. Transp. Code § 521.249). An SR-22 is needed. No occupational license is issued for using a advertisement motor auto (Tex. Transp. Code § 521.2424).

Ignition interlock and SR-22

An **ignition interlock device** should be required at numerous ranges of a DWI case. Texas rules oftentimes requires it as a bond circumstance for repeat DWI premiums and for DWI with a boy or girl passenger, intoxication assault, or intoxication manslaughter quotes (Tex. Code Crim. Proc. Art. 17.441). It also is required as a situation of group supervision for drivers with an alcohol attention of 0.15 or more, repeat offenders, and drivers underneath 21 (Tex. Code Crim. Proc. Art. 42A.408). It is needed for DWI deferred adjudication network supervision unless waived after an contrast.

An **SR-22** will never be an insurance plan policy. It is a Financial Responsibility Insurance Certificate that an insurance organisation documents with DPS.

How a DWI Defense Lawyer Challenges the Evidence

A **dwi safety lawyer** looks closely at even if the stop, the arrest, the testing, and the State's timeline grasp up under the legislation. DWI circumstances recurrently activate tips that are convenient to overlook firstly.

The traffic stop

The quit itself would have to be lawful. Under the Fourth Amendment, a traffic prevent requires lifelike suspicion, and an arrest calls for possibly lead to.

That can matter on roads like I-27, Loop 289, Marsha Sharp Freeway, or Broadway, however the legal question is the comparable at any place in Lubbock County. If the officer lacked a valid groundwork for the stop or arrest, that can have an impact on what facts **best dwi lawyer** should be would be could very well be used.

Field sobriety tests

Field sobriety assessments don't seem to be required with the aid of a Texas statute. The standardized checks are the horizontal gaze nystagmus attempt, the stroll-and-turn, and the one-leg stand, which had been evolved by NHTSA.

Declining these tests does not cause an ALR suspension. Even so, officials may additionally nonetheless describe steadiness, speech, guidance, or different observations, so the problem is assuredly how authentic and truthful the testing became less than the truthfully situations.

Breath tests

Breath trying out in Texas is carried out at the **Intoxilyzer 9000** lower than the DPS **DWI lawyer near me** Breath Alcohol Testing Program, utilising certified operators (Tex. Transp. Code § 724.016). In a given case, maintenance statistics, calibration statistics, and operator archives is additionally reviewed.

A **DWI lawyer** might also evaluate the breath end result to frame-digital camera pictures, riding habit, and the timing of the end and arrest. The level just isn't to count on the wide variety is wrong. The point is to test no matter if the State can turn out the consequence is reputable and tied to the authorized matters in your case.

Blood tests and seek warrants

Blood proof may also be challenged too. Since 2021, police on the whole desire a seek warrant or authentic emergency circumstances to take blood with out consent, even in cases the place a specimen could differently be obligatory (Tex. Transp. Code § 724.012(e)).

Texas legislations additionally requires that blood be drawn via certified staff in a sanitary region (Tex. Transp. Code § 724.017). Blood samples are retained, and a person may just request complete statistics approximately the evaluation (Tex. Code Crim. Proc. Art. 38.50; Tex. Transp. Code § 724.018). If you gave the officer's requested specimen, you might, inside of 2 hours of arrest, set up an additional self sufficient blood attempt by means of a certified human being of your settling on, though police are usually not required to move you (Tex. Transp. Code § 724.019).

Chain-of-custody data, sprint-cam footage, and physique-cam photos can even all subject whilst trying out blood facts.

The zero.15 timing question

The zero.15 enhancement depends on the alcohol awareness **when the pattern used to be analyzed**, now not when the adult became driving (Tex. Penal Code § 49.04(d)). That timing can rely.

In some circumstances, the space among riding, arrest, and trying out increases questions about alcohol absorption, removal, and whether later test outcome accurately mirror the consumer's condition at the earlier time. That difficulty may just come to be main when the State seeks Class A punishment depending on a later evaluation range.

Possible Outcomes for a First DWI

A first DWI case might lead to various alternative methods, depending at the data, the proof, the filing choice, and your background. No trustworthy legal professional can promise a particular outcome, yet it helps to be mindful the practical innovations.

Dismissal

Dismissal is achievable in a few cases, however it is dependent on the authorized and authentic weaknesses within the State's facts. A dismissal does not come about just on the grounds that that's a primary offense. It constantly relies on facts troubles, criminal points, or a further case-categorical reason why.

Reduction

A first DWI cost would possibly now and again be lowered to **Obstructing Highway or Other Passageway** if the proof and the prosecutor make stronger that effect (Tex. Penal Code § 42.03). That will not be a possibility in each case, and no relief is automatic.

Deferred adjudication group supervision

For some first DWI situations, **deferred adjudication network supervision** is to be had under Texas legislations (Tex. Code Crim. Proc. Art. 42A.102). If you entire it efficaciously, there's no conviction.

But this option has limits. It is not really attainable if the alcohol awareness turned into 0.15 or extra on the time of the offense, if you maintain a advertisement driving force's license or advertisement learner's enable, if a infant passenger became in touch, or if the payment is stronger. A DWI deferred adjudication nonetheless counts as a previous conviction should you are ever charged with DWI to come back (Tex. Penal Code § 49.09(g)).

Community supervision

Community supervision (greatly generally known as probation) is another you can still cause a few instances. Unlike deferred adjudication, directly community supervision is a conviction with a probated sentence.

For misdemeanors, group supervision is capped at 2 years, however it may be expanded after a violation (Tex. Code Crim. Proc. Art. 42A.053). Conditions may additionally embody categories, reporting, expenses set by using legislation or court order, and in some cases ignition interlock. The DWI Education Program is 12 hours beneath TDLR rules and is greatly finished inside of a hundred and eighty days of being located on network supervision (Tex. Code Crim. Proc. Art. 42A.403).

Trial

Trial may be an preference. If the proof is disputed, an individual arrested for DWI has the proper to require the State to end up the case in courtroom.

A trial may concentrate on the discontinuity, the officer's observations, field sobriety trying out, the breath or blood end result, or whether or not the State can show intoxication past a cheap doubt. The true choice relies at the tips, the negative aspects, and your targets.

Records: order of nondisclosure and expunction

A DWI checklist does now not immediately disappear. A Texas DWI conviction stays on a offender document permanently except a legislations allows for a specific cure, and there may be no automated removing after 7 or 10 years.

An **order of nondisclosure** is likely to be out there for plenty first DWI circumstances and will seal the document from public view if the felony necessities are met (Tex. Gov't Code §§ 411.0726, 411.0731, 411.0736). The waiting interval relies on how the case ended. For deferred adjudication, the waiting duration is two years after discharge. For neighborhood supervision, it's miles 2 years after finishing touch if an interlock was once required for as a minimum 6 months, in a different way 5 years. For a conviction with no supervision, it's three years if an interlock was required for as a minimum 6 months, another way 5 years. It isn't really out there for a zero.15 or more conviction, and it would be denied if the State proves the offense triggered a collision regarding yet one more man or women.

An **expunction** is various. It is governed with the aid of Code of Criminal Procedure bankruptcy 55A and can follow after an acquittal, after distinct dismissals, or whilst quotes are by no means filed and ready periods circulate (Tex. Code Crim. Proc. Ch. 55A; Tex. Gov't Code § 76.011). A dismissal does now not erase files through itself. A separate expunction petition is needed. A conviction that stands cannot be expunged, other than in uncommon circumstances together with a pardon or truthfully-innocence aid.

Repeat and Felony DWI Charges

Repeat and felony DWI quotes convey an awful lot larger stakes as a result of Texas counts earlier intoxication convictions for lifestyles. There is not any 10-yr washout, and qualifying out-of-state priors can depend too (Tex. Penal Code § forty nine.09(c)).

A 2d DWI is a Class A misdemeanor with a minimum of 30 days of confinement (Tex. Penal Code § 49.09(a)). A 3rd DWI is a 3rd-level legal punishable by means of 2 to ten years in reformatory and a advantageous as much as \$10,000 (Tex. Penal [dwi lawyer lubbock](#) Code §§ 49.09(b)(2), 12.34).

Texas also counts some different intoxication offenses for enhancement applications. Prior boating, flying, and amusement trip intoxication convictions may additionally count. That can have an affect on charging even when the prior offense become now not a traditional motor car or truck DWI.

Bond circumstances can became stricter in repeat or greater extreme circumstances. Texas rules commonly requires ignition interlock as a bond condition for repeat DWI quotes and for DWI with a boy or girl passenger, intoxication assault, or intoxication manslaughter premiums (Tex. Code Crim. Proc. Art. 17.441).

Two injury-connected felony bills deserve separate concentration:

- **Intoxication assault** is a 3rd-degree legal if critical physical injury is caused by explanation why of intoxication (Tex. Penal Code § forty nine.07).
- **Intoxication manslaughter** is a moment-diploma criminal, punishable via 2 to 20 years, and in bound cases given that September 1, 2025, it could be a primary-stage legal, which include while multiple person dies in the similar crook transaction (Tex. Penal Code §§ forty nine.08, forty nine.09(b-2)).

A **lubbock dwi safeguard lawyer** will recurrently observe priors early, when you consider that enhancement topics can structure bond, publicity, and procedure from the start of the case.

CDL Holders, Texas Tech Students, and Drivers Under 21

Some DWI arrests create greater trouble by using the reasonably license you hang or your age. CDL holders, pupils, and drivers beneath 21 may perhaps face separate laws past the standard grownup DWI statute.

A CDL holder with an alcohol concentration of zero.04 or more although running a industrial motor car or truck faces a 1-yr advertisement license disqualification, that is an administrative movement in place of a legal price (Tex. Transp. Code § 522.081(b)). A first DWI conviction in any car or truck, or refusing or failing a try, additionally brings a 1-yr CDL disqualification, or 3 years if the car or truck used to be hauling placarded damaging materials. A second brings an entire life disqualification (Tex. Transp. Code § 522.081). CDL and industrial learner's allow holders are not eligible for DWI deferred adjudication community supervision (Tex. Code Crim. Proc. Art. 42A.102).

If you're a Texas Tech scholar, a school behavior procedure also can run individually from the crook case. That process is break free what takes place in court and lower than the ALR application.

For drivers underneath 21, the regulation draws an exceptional line. **DUI by a minor** is the underneath-21 offense for any detectable quantity of alcohol (Tex. Alco. Bev. Code § 106.041). But drivers less than 21 can even be charged with complete DWI if the details match the DWI statute. Texas regulation additionally calls for ignition interlock as a situation of community supervision for drivers below 21 in DWI cases (Tex. Code Crim. Proc. Art. 42A.408).

A DWI Lawyer Near You in Lubbock

If you have been arrested for DWI in Lubbock County, regional assistance is obtainable. Texas Criminal Defense Group is located at **1001 Texas Ave, Lubbock, TX 79401**, and the cellphone range is **(806) 542-3513**.

The firm enables men and women arrested all over Lubbock County, adding arrests that start out with local police, deputies, DPS troopers, or university police. Whether the give up came about on a freeway, a metropolis street, or a automobile parking space, the primary steps are characteristically the comparable: offer protection to closing dates, assemble data, and look carefully at the evidence.

Frequently Asked Questions

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

You ordinarily have **15 days from receiving the awareness of suspension** to request an ALR listening to (Tex. Transp. Code §§ 524.031, 724.041). In blood-scan situations, DPS may mail the awareness later, and the cut-off date is **20 days from the mailing date**. If you request the hearing on time, the suspension does not bounce unless the decide makes a decision the case.

Is my license suspended suitable away after a DWI arrest?

No, your license is not really routinely suspended in the intervening time of arrest. If no timely ALR hearing request is made after detect, the suspension in many instances starts on the fortieth day after detect. A first DWI conviction might also reason a separate suspension later (Tex. Transp. Code § 521.344(a)).

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

Yes, a few drivers can ask a court docket for an occupational driving force's license for the period of a suspension (Tex. Transp. Code § 521.2421). The submitting courtroom relies on even if the suspension comes from the ALR software or from a conviction. The court docket order works as a transitory license for forty five days, and an SR-22 is needed.

Can a primary DWI be a criminal in Texas?

Yes, a primary DWI could be a prison in a few occasions. For example, DWI with a passenger youthful than 15 is a country penitentiary prison, and DWI in a school crossing region even though the lowered tuition pace restriction applies is likewise a kingdom penitentiary prison (Tex. Penal Code §§ 49.half, forty nine.04(e)).

What is the change among DWI and DUI in Texas?

DWI is the person intoxication offense, and DUI is a separate below-21 offense. Texas DWI calls for proof that an individual operated a motor auto in a public location even as intoxicated (Tex. Penal Code § forty nine.04). DUI via a minor applies to drivers lower than 21 with any detectable volume of alcohol (Tex. Alco. Bev. Code § 106.041).



Does deferred adjudication for DWI matter as a conviction?

For a success crowning glory, no conviction is entered. But a DWI deferred adjudication still counts as a prior conviction if the particular person is later charged with DWI once again (Tex. Penal Code § 49.09(g)). It is additionally not readily available in every first-offense case.

Can I seal or expunge a DWI in Texas?

Sometimes, definite, however the clear up relies on how the case ended. An order of nondisclosure may well seal a few first DWI records from public view if the statutory requisites are met. Expunction may well observe after an acquittal, certain dismissals, or no-record instances after ready durations, but a standing conviction cannot ordinarily be expunged.

What occurs if I refused a breath or blood verify?

A refusal can cause a longer ALR suspension and may well be used as evidence at trial (Tex. Transp. Code §§ 724.1/2, 724.061). Under implied consent rules, the officer ought to provide the DIC-24 caution after a DWI arrest (Tex. Transp. Code §§ 724.011, 724.1/2). In many instances, officers could also are trying to find a search warrant for blood.

Do I should do box sobriety exams in Texas?

No, no Texas statute calls for you to participate in discipline sobriety tests. Also, declining them does not cause an ALR suspension. Still, the officer would describe different observations, so the prison hindrance is as a rule how the total facts fits in combination.

How do I favor the most advantageous dwi attorney after an arrest?

Start through in quest of a legal professional who simply explains Texas DWI regulation, cut-off dates, and the nearby technique. You can also see searches for **DWI lawyer close to me** or phrases like **dwi attorney lubbock**, but the more practical query is regardless of whether the lawyer can fastidiously evaluate the end, trying out, license subject matters, and potential case results with no making offers.

Do I need a lawyer for a primary DWI offense?

Many human beings get advantages from speaking with a legal professional even on a first offense. A first DWI can impression your license, legal rfile, and achievable eligibility for deferred adjudication network supervision or an order of nondisclosure. A lawyer might also recognize deadlines and assessment the facts early.

If you were arrested for DWI in Lubbock County, a peaceful, advised first step is to get solutions about the fee and your license as soon as workable. Texas Criminal Defense Group is situated at **1001 Texas Ave, Lubbock, TX 79401**. You can call **(806) 542-3513** for a loose session about what came about, what time cut-off dates might also apply, and what techniques may well be to be had to your case.

This page promises widely wide-spread advice about Texas rules, now not authorized assistance. Contacting the firm does now not create an lawyer-purchaser courting. Current as of September 2026.