

NOTICE OF OBJECTION BY ACCUSED

Cause No(s). \_\_\_\_\_

The State of Texas                      §        IN THE \_\_\_\_\_ COURT

§

VS.

§

§

\_\_\_\_\_ §        \_\_\_\_\_ COUNTY, TEXAS

NOTICE OF OBJECTION BY ACCUSED

I, \_\_\_\_\_, herein after the Accused, hereby objects timely, pursuant to Art. 1.14(b) of the Texas Code of Criminal Procedures, in the above captioned cause(s). The Accused objects to the procedure violation of not having a copy of an Information and objects to the irregularity of form or substance of the information, since there is no form and lacks substance.

1.14 (b) If the defendant does not object to a defect, error, or irregularity of form or substance in an indictment or information before the date on which the trial on the merits commences, he waives and forfeits the right to object to the defect, error, or irregularity and he may not raise the objection on appeal or in any other post-conviction proceeding. Nothing in this article prohibits

a trial court from requiring that an objection to an indictment or information be made at an earlier time in compliance with Article 28.01 of this code.

Respectfully Submitted,

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#### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing has been delivered to the following party or counsel of record via certified mail, return receipt requested, hand delivery or fax on this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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## INSTRUCTIONS

This document is necessary to stop the automatic waiver of your right to a copy of the information which should give you the nature and cause of the accusation.

This document needs to be filed at least 10 days before the pretrial.

Original is filed with the court clerk, copy served on the prosecutor, a copy for you.

Line 1: Where you put the cause numbers of the case.

Line 2: Put either 'Municipal', 'Justice of the Peace' or County.

Line 3: Put either 'In the City of (whatever City)', "Precinct (whatever number)" or "(whatever county Court it is – like – At Law #11)

Line 4: Put your name in Upper and Lower Caps.

Line 5: Put whatever county the court is in – like – "Galveston".

Line 6: Put your name in Upper and Lower Caps.

Line 7: Sign your name, print your name in Upper and Lower Caps then below that print your address.

Line 8: Put the numbered day of the Month that you serve a copy of this document to the prosecutor.

Line 9: Put the name of the Month that you serve a copy of this document to the prosecutor.

Line 10: Put the last number of the year that you serve a copy of this document to the prosecutor. – like - 2013 .

Line 11: Put " Prosecutor for (Whatever Court)

Line 12: Put the street address where the prosecutor will be served.

Line 13: Put the City, State and Zipcode where the Prosecutor will be served.

Line 14: Sign your name, print your name in Upper and Lower Caps then below that print your address.

Original goes to the clerk of the court, one copy to the Prosecutor and one copy for you to keep and have stamped by the clerk. Be sure and NOT include the instruction sheets.