

MOTION FOR ARREST OF JUDGMENT

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

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

§

VS.

§        \_\_\_\_\_

§

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

MOTION FOR ARREST OF JUDGMENT

I, \_\_\_\_\_, hereafter Defendant, move the Honorable Court for Arrest of Judgment concerning the above cause on the grounds as indicated in Texas Rules of Appellate Procedure (TRAP) Rule 22.2 that the judgment is void as to the absence of the Information filed in the court denying jurisdiction to this Honorable Court. The prosecution has failed in their duty to supply and file the Information as required by the Texas Code of Criminal Procedure (TCCrP) Article 21.20. This Honorable Court has taken judicial notice of the TCCrP under Government Code Section 30.00006(e). Section 30.00023 states that this Honorable Court will be governed by the TCCrP and TRAP. The Texas Constitution Article 5, Section 12(b) recognize the jurisdiction of the court by the filing of the Information. Defendant questions jurisdiction of this Honorable Court as the Prosecutor did not establish the jurisdiction of the court before proceeding. Defendant did not and does not waive any rights, privileges or procedures afforded to Defendant.

Respectfully submitted by:

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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 delivery confirmation, hand delivery or fax on this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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

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

§

VS.                                              §        \_\_\_\_\_

§

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

#### ORDER FOR MOTION FOR ARREST OF JUDGMENT

On \_\_\_\_\_, 201\_\_, the court considered Defendant's motion for Arrest of Judgment on the above Cause. After considering the evidence and authority so shown, the court orders said Motion should be

Granted

Denied, Grounds Being \_\_\_\_\_

\_\_\_\_\_

Signed and entered this              day of              , 201\_\_.

SEAL

\_\_\_\_\_

Judge Presiding

## INSTRUCTIONS

This document is filed within 10 days after the Motion for a New Trial is denied. This is just another allowed procedure on your part. Give the judge another chance to drop the charges, before you appeal.

Do not have a page number on the ORDER – you may need to cut and paste to a new document.

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, below the line, 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 Court Clerk.

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

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

Line 11: Put "Court Clerk for (Whatever Court)

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

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

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

## NEW DOCUMENT - ORDER

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

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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".

Leave the rest for the Judge to fill out.

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