

# Question

If someone pleads no contest to a speeding ticket in Texas, what are some lesser-known legal strategies to potentially avoid the ticket or its consequences, aside from defensive driving?

## Answer (Texas)

### Short response

In Texas, individuals who plead no contest to speeding tickets can employ several lesser-known strategies beyond defensive driving, including seeking deferred disposition, installment payment plans, community service options, and filing strategic appeals to county courts.

### Summary

When facing a speeding ticket in Texas, individuals who plead no contest (*nolo contendere*) have multiple strategies beyond the well-known defensive driving option to potentially avoid the ticket or mitigate its consequences. Recent Texas legislation provides several pathways including deferred disposition for up to 180 days without entering an adjudication of guilt, alternative methods to address fines and court costs such as installment payments or community service, and strategic appeals to county courts where judges may suspend fines and defer guilt findings.

The Texas Code of Criminal Procedure offers specific mechanisms that can be leveraged, including motions to suppress evidence from speed detection devices, utilizing deferral procedures in higher courts after appealing, and satisfying court requirements through alternatives like tutoring programs. These lesser-known strategies can help avoid the negative consequences typically associated with speeding tickets, such as points on driving records, increased insurance rates, and permanent conviction records, provided the defendant meets all court-imposed requirements during the specified deferral period.

## Background and Relevant Law

### Legislative Framework

The Texas Code of Criminal Procedure provides several options for individuals who plead no contest to speeding tickets to potentially avoid the ticket or its consequences. These provisions offer alternatives to simply paying the fine and accepting the consequences of the violation.

## Deferred Disposition

One primary strategy available under Texas law is deferred disposition. According to [Tex. Code Crim. Proc. § 45A.302](#), "On a plea of guilty or nolo contendere by a defendant or on a finding of guilt in a misdemeanor case punishable by fine only and payment of all court costs, a judge may defer further proceedings for a period not to exceed 180 days without entering an adjudication of guilt."

This provision is particularly valuable for those facing speeding tickets as it allows for a deferral period during which no adjudication of guilt is entered. During this period, the judge has the authority to impose a fine on the defendant, but such fine cannot exceed the amount that could be imposed as punishment for the offense. [Tex. Code Crim. Proc. § 45A.302\(b\)](#) states that "In issuing the order of deferral, the judge may impose a fine on the defendant in an amount not to exceed the amount of the fine that could be imposed on the defendant as punishment for the offense."

Importantly, the fine can be collected at any time before the deferral period ends, and if collected, it must be credited toward any fine imposed as punishment. As [Tex. Code Crim. Proc. § 45A.302\(c\)](#) notes, "The fine described by Subsection (b) may be collected at any time before the date on which the period of deferral ends. A judge who orders the collection of the fine must require that the amount of the fine be credited toward the payment of the amount of any fine imposed by the judge as punishment for the offense."

The judge also has discretion to waive the fine altogether for good cause shown by the defendant, per [Tex. Code Crim. Proc. § 45A.302\(d\)](#): "The judge may elect not to impose the fine for good cause shown by the defendant."

An additional benefit of deferred disposition is that it terminates any liability under a bond given for the charge, as stated in [Tex. Code Crim. Proc. § 45A.302\(e\)](#): "An order of deferral under this article terminates any liability under a bond given for the charge."

## Alternative Methods to Address Fines and Court Costs

Texas law provides several alternatives to paying fines and court costs in full, which can be particularly helpful for individuals who may face financial hardship. [Tex. Code Crim. Proc. § 45A.303](#) outlines these alternatives: "Notwithstanding any other law, as an alternative to requiring a defendant charged with one or more offenses to pay all fines and court costs as required by Article CODE OF CRIMINAL PROCEDURE 45A.302, the judge may:

1. allow the defendant to enter into an agreement to pay those fines and costs in installments during the defendant's period of deferral;
2. require an eligible defendant to discharge all or part of those fines and costs by performing community service or attending a tutoring program under Article CODE OF CRIMINAL PROCEDURE 45A.254 or CODE OF CRIMINAL PROCEDURE 45A.460;

3. waive all or part of those fines and costs under Article CODE OF CRIMINAL PROCEDURE 45A.257;
4. or take any combination of actions authorized by Subdivision, , or ."

These alternatives provide flexibility in addressing the financial obligations associated with a speeding ticket, which could make it more feasible for individuals to comply with court requirements and potentially avoid the long-term consequences of the ticket.

## **Driving Safety Courses**

Another strategy involves completing a driving safety course after pleading no contest. [Tex. Code Crim. Proc. § 45A.356](#) specifies that "The court shall enter judgment on a defendant's plea of nolo contendere or guilty at the time the plea is made, defer imposition of the judgment, and allow the defendant a 90-day period to successfully complete the approved driving safety course or motorcycle operator training course and present to the court: a uniform certificate of completion of the driving safety course or a verification of completion of the motorcycle operator training course."

This provision allows for the deferral of judgment pending completion of an approved driving safety course. The defendant must also provide additional documentation, including their driving record showing they have not completed such a course within the preceding 12 months and an affidavit stating they were not already taking such a course when they requested to take one for the current offense.

## **Appeals to County Court**

For those who have already been convicted in a lower court, Texas law provides an additional option through appeals. [Tex. Code Crim. Proc. § 42.111](#) states: "If a defendant convicted of a misdemeanor punishable by fine only appeals the conviction to a county court, on the trial in county court the defendant may enter a plea of guilty or nolo contendere to the offense. If the defendant enters a plea of guilty or nolo contendere, the court may defer further proceedings without entering an adjudication of guilt in the same manner as provided for the deferral of proceedings in justice court or municipal court under Subchapter G, Chapter 45A."

This provision allows defendants to appeal their case to county court and potentially benefit from deferred adjudication, even after conviction in a lower court. However, it's important to note that this section does not apply to certain traffic violations, specifically "a misdemeanor case disposed of under Subchapter B, Chapter 543, Transportation Code, or a serious traffic violation as defined by Section Transportation Code 522.003."

## **Case Law**

Case law provides additional insights into how these legislative provisions are applied in practice and reveals strategies that have proven successful in Texas courts.

In [State v. Cuarenta, 703 S.W.3d 429 \(Tex. App. 2024\)](#), the court noted that "Appellee entered a plea of no contest in Justice Court, Precinct 1, of Brazos County and was found guilty. He filed a de novo appeal in County Court at Law Number 2. Following a hearing, the trial court found him guilty but suspended imposition of a fine and deferred the finding of guilt for 180 days."

This case illustrates how a defendant can leverage the appeal process to potentially secure a more favorable outcome. By appealing to a county court, the defendant was able to obtain a suspended fine and a deferred finding of guilt, despite initially being found guilty in justice court.

Similar outcomes are referenced in [State v. Cuarenta, 07-23-00339-CR \(Tex. App. Feb 14, 2024\)](#), which states the same facts and outcome. It's worth noting that this case was superseded by [State v. Cuarenta](#), PD-0205-24 (Tex. Crim. App. Jan 22, 2025). While the subsequent treatment might affect the precedential value of this case, it nonetheless illustrates the potential strategy of appealing to county court after pleading no contest in a lower court.

[State v. Hollis, 327 S.W.3d 750 \(Tex. App. 2010\)](#) further elaborates on the appeal process, noting: "If a defendant convicted of a misdemeanor punishable by fine only appeals the conviction to a county court, on the trial in county court the defendant may enter a plea of guilty or nolo contendere to the offense. If the defendant enters a plea of guilty or nolo contendere, the court may defer further proceedings without entering an adjudication of guilt in the same manner as provided for the deferral of proceedings in justice court or municipal court under Article 45.051 [45.54] of this code."

This case reinforces the availability of deferred adjudication in county court following an appeal, although it also notes the limitations: "This article does not apply to a misdemeanor case disposed of under Subchapter B, Chapter 543, Transportation Code [by Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes)], or a serious traffic violation as defined by Section 522.003, Transportation Code."

It's important to note that *State v. Hollis* was limited by *In re State*, 489 S.W. 3d 24 (Tex. App. 2016). This subsequent treatment suggests that the principles established in *Hollis* may have limitations or may not apply in all circumstances, which should be considered when relying on this strategy.

## Secondary Materials

Secondary sources provide additional strategies for addressing speeding tickets. According to *Misdemeanor Defense* (2022-05-05), one strategy involves "filing a Motion to Suppress and requesting a hearing on the Motion in a case where a detection device was used for speeding. A trial court was reversed for denying the defendant's motion to suppress on the basis that there was no evidence that the device using Light Detection and Ranging (LIDAR) technology supplied probable cause for the stop."

This suggests that challenging the reliability or proper operation of the speed detection device used to issue the ticket can be a viable strategy in some cases. If successful, such a motion could result in the evidence being suppressed, potentially leading to the dismissal of the ticket.

## **Analysis of Available Strategies**

### **Strategy 1: Seeking Deferred Disposition**

One of the most effective strategies for someone who has pled no contest to a speeding ticket in Texas is to seek deferred disposition under [Tex. Code Crim. Proc. § 45A.302](#). This approach allows the defendant to avoid an adjudication of guilt for up to 180 days, provided they comply with certain conditions imposed by the court.

The process begins when the defendant pleads no contest and the judge agrees to defer further proceedings without entering an adjudication of guilt. During the deferral period, the judge may impose conditions such as payment of a fine, which must not exceed the amount that could be imposed as punishment for the offense.

The advantage of this strategy is that if the defendant successfully completes the deferral period without violating any conditions, they can avoid having a conviction on their record. This can prevent points from being added to their driving record and avoid increases in insurance premiums that typically follow traffic convictions.

To maximize the likelihood of success with this strategy, the defendant should:

1. Request deferred disposition at the time of their plea
2. Be prepared to pay court costs upfront
3. Demonstrate willingness to comply with any conditions imposed by the court
4. Maintain a clean driving record during the deferral period

### **Strategy 2: Alternative Methods to Address Fines and Court Costs**

For defendants facing financial hardship, [Tex. Code Crim. Proc. § 45A.303](#) provides several alternatives to paying fines and court costs in full. These alternatives can make it more feasible for individuals to comply with court requirements and potentially avoid the long-term consequences of a speeding ticket.

The alternatives include:

1. Installment payment plans during the deferral period
2. Community service to discharge all or part of the fines and costs
3. Attending a tutoring program
4. Waiver of all or part of the fines and costs for good cause

## 5. A combination of the above options

By taking advantage of these alternatives, defendants can fulfill their obligations to the court without experiencing undue financial hardship. This increases their likelihood of successfully completing the deferral period and avoiding a conviction.

### **Strategy 3: Completion of Driving Safety Course with Special Conditions**

While the question specifically asks for strategies other than defensive driving, it's worth noting that [Tex. Code Crim. Proc. § 45A.356](#) provides a structured process for deferring judgment pending completion of an approved driving safety course. This approach differs from the standard defensive driving option in that it involves specific procedural requirements and documentation that must be submitted to the court.

Under this provision, after pleading no contest, the court defers imposition of the judgment and allows the defendant a 90-day period to complete an approved driving safety course. To successfully employ this strategy, the defendant must:

1. Complete the approved course within 90 days
2. Present a uniform certificate of completion to the court
3. Provide their driving record showing they haven't completed such a course within the preceding 12 months
4. Submit an affidavit stating they weren't already taking such a course when they requested to take one for the current offense

If all requirements are met, the court can dismiss the charge, allowing the defendant to avoid the consequences of the ticket.

### **Strategy 4: Strategic Appeals to County Court**

For defendants who have already been convicted in a lower court, [Tex. Code Crim. Proc. § 42.111](#) offers the option to appeal to county court. This strategy can be particularly effective, as demonstrated in [State v. Cuarenta, 703 S.W.3d 429 \(Tex. App. 2024\)](#), where the defendant was able to secure a suspended fine and a deferred finding of guilt despite initially being found guilty in justice court.

The appeal process provides a fresh opportunity for the defendant to plead no contest and request deferred adjudication. As stated in [State v. Hollis, 327 S.W.3d 750 \(Tex. App. 2010\)](#), if a defendant convicted of a misdemeanor punishable by fine only appeals to county court and enters a plea of guilty or no contest, the court may defer further proceedings without entering an adjudication of guilt.

However, it's important to note that [State v. Hollis](#) was limited by [In re State, 489 S.W.3d 24 \(Tex. App. 2016\)](#), suggesting that this strategy may have certain limitations or may not apply in all circumstances. Additionally,



this approach does not apply to certain traffic violations, as specified in the statute.

## **Strategy 5: Challenging the Evidence Through Motion to Suppress**

According to Misdemeanor Defense (2022-05-05), filing a Motion to Suppress can be an effective strategy when a detection device was used to measure the defendant's speed. This approach challenges the reliability or proper operation of the device, potentially leading to the suppression of evidence and dismissal of the ticket.

To employ this strategy successfully, the defendant should:

1. File a Motion to Suppress specifically challenging the evidence obtained from the speed detection device
2. Request a hearing on the motion
3. Be prepared to argue that there is insufficient evidence that the device provided probable cause for the stop
4. Question whether the device was properly calibrated, maintained, and operated according to manufacturer specifications

This strategy can be particularly effective when the speeding ticket was issued based solely on readings from devices like LIDAR or radar, with no other evidence of speeding.

## **Exceptions and Caveats**

While the strategies outlined above can be effective for many defendants, there are important exceptions and limitations to consider:

1. **Exclusions for Certain Traffic Violations:** As noted in [Tex. Code Crim. Proc. § 42.111](#), the option to defer adjudication in county court following an appeal does not apply to "a misdemeanor case disposed of under Subchapter B, Chapter 543, Transportation Code, or a serious traffic violation as defined by Section 522.003, Transportation Code." This means that certain traffic violations may not be eligible for this strategy.
2. **Limitations Based on Prior Driving Record:** The effectiveness of these strategies may be limited by the defendant's prior driving record. For instance, to qualify for deferral through completion of a driving safety course, the defendant must not have completed such a course within the 12 months preceding the offense. Defendants with multiple recent violations may therefore have fewer options available to them.
3. **Judicial Discretion:** Many of these strategies rely on judicial discretion. The judge has the authority to decide whether to grant deferred disposition, allow alternative methods of addressing fines and court costs, or defer adjudication following an appeal. There is no guarantee that any of these requests will be granted, particularly for

defendants with poor driving records or those who have previously benefited from such arrangements.

4. **Subsequent Treatment of Case Law:** As noted earlier, [State v. Hollis, 327 S.W.3d 750 \(Tex. App. 2010\)](#) was limited by *In re State*, 489 S.W.3d 24 (Tex. App. 2016), and [State v. Cuarenta, 07-23-00339-CR \(Tex. App. Feb 14, 2024\)](#) was superseded by [State v. Cuarenta](#), PD-0205-24 (Tex. Crim. App. Jan 22, 2025). These subsequent treatments suggest that the principles established in these cases may have limitations or may not apply in all circumstances.
5. **Compliance with Conditions:** The success of strategies involving deferred disposition or deferred adjudication depends on the defendant's ability to comply with all conditions imposed by the court during the deferral period. Failure to meet these conditions can result in an adjudication of guilt and the imposition of the original penalties.

## Conclusion

For individuals who plead no contest to a speeding ticket in Texas, several lesser-known legal strategies exist that may help avoid the ticket or its consequences. These strategies include:

1. **Seeking deferred disposition** under [Tex. Code Crim. Proc. § 45A.302](#), which allows for a deferral period of up to 180 days without an adjudication of guilt.
2. **Utilizing alternative methods to address fines and court costs** as provided in [Tex. Code Crim. Proc. § 45A.303](#), such as installment payment plans, community service, tutoring programs, or waivers.
3. **Completing a driving safety course with special conditions** as outlined in [Tex. Code Crim. Proc. § 45A.356](#), which involves specific procedural requirements beyond the standard defensive driving option.
4. **Strategically appealing to county court** as provided in [Tex. Code Crim. Proc. § 42.111](#) and demonstrated in [State v. Cuarenta, 703 S.W.3d 429 \(Tex. App. 2024\)](#), which can provide a fresh opportunity for deferred adjudication.
5. **Challenging the evidence through a Motion to Suppress**, particularly when a detection device was used to measure speed, as suggested in *Misdemeanor Defense* (2022-05-05).

Each of these strategies has its own requirements, advantages, and potential limitations. The most appropriate strategy for any individual will depend on their specific circumstances, including their driving record, financial situation, and the details of their speeding ticket. By understanding and effectively utilizing these lesser-known legal strategies, individuals who plead no contest to speeding tickets in Texas can potentially avoid or minimize the negative consequences typically associated with such



violations, such as points on their driving record, increased insurance rates, and a permanent conviction record.

It's worth noting that while these strategies can be effective, their success ultimately depends on factors such as judicial discretion, the defendant's ability to comply with court-imposed conditions, and the specific nature of the traffic violation. Therefore, individuals considering these strategies should carefully evaluate their options and, when possible, seek appropriate legal advice tailored to their specific situation.

## **Legal Authorities**

[State v. Cuarenta, 07-23-00339-CR \(Tex. App. Feb 14, 2024\)](#)

### **Texas Court of Appeals**

#### **Extract**

Appellee entered a plea of no contest in Justice Court, Precinct 1, of Brazos County and was found guilty. He filed a de novo appeal in County Court at Law Number 2. Following a hearing, the trial court found him guilty but suspended imposition of a fine and deferred the finding of guilt for 180 days.

#### **Summary**

In Texas, after pleading no contest to a speeding ticket, one potential legal strategy is to file a de novo appeal in a higher court. In this case, the County Court at Law Number 2 suspended the imposition of a fine and deferred the finding of guilt for 180 days. This suggests that appealing the decision and seeking a deferral of the finding of guilt could be a strategy to avoid immediate consequences of the ticket.

[State v. Cuarenta, 703 S.W.3d 429 \(Tex. App. 2024\)](#)

### **Texas Court of Appeals**

#### **Extract**

Appellee entered a plea of no contest in Justice Court, Precinct 1, of Brazos County and was found guilty. He filed a de novo appeal in County Court at Law Number 2. Following a hearing, the trial court found him guilty but suspended imposition of a fine and deferred the finding of guilt for 180 days.

#### **Summary**

The passage provides insight into a legal strategy where, after pleading no contest, an individual can file a de novo appeal in a higher court. In this case, the County Court at Law Number 2 suspended the imposition of a fine and deferred the finding of guilt for 180 days. This suggests that appealing

to a higher court can result in a more favorable outcome, such as suspension of fines or deferral of guilt, which can be a strategy to mitigate the consequences of a speeding ticket.

[State v. Hollis, 327 S.W.3d 750 \(Tex. App. 2010\)](#)

## **Texas Court of Appeals**

### **Extract**

If a defendant convicted of a misdemeanor punishable by fine only appeals the conviction to a county court, on the trial in county court the defendant may enter a plea of guilty or nolo contendere to the offense. If the defendant enters a plea of guilty or nolo contendere, the court may defer further proceedings without entering an adjudication of guilt in the same manner as provided for the deferral of proceedings in justice court or municipal court under Article 45.051 [45.54] of this code. This article does not apply to a misdemeanor case disposed of under Subchapter B, Chapter 543, Transportation Code [by Section 143A, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes)], or a serious traffic violation as defined by Section 522.003, Transportation Code.

### **Summary**

In Texas, if a defendant pleads guilty or no contest to a misdemeanor punishable by fine only, they may have the option to defer further proceedings without an adjudication of guilt. This is applicable in county court trials and mirrors the deferral process available in justice or municipal courts under Article 45.051. However, this option is not available for certain traffic offenses, such as those disposed of under Subchapter B, Chapter 543, or serious traffic violations.

[Tex. Code Crim. Proc. § 42.111 Tex. Code Crim. Proc. § 42.111 Deferral of Proceedings In Cases Appealed to County Court](#)

### **Extract**

If a defendant convicted of a misdemeanor punishable by fine only appeals the conviction to a county court, on the trial in county court the defendant may enter a plea of guilty or nolo contendere to the offense. If the defendant enters a plea of guilty or nolo contendere, the court may defer further proceedings without entering an adjudication of guilt in the same manner as provided for the deferral of proceedings in justice court or municipal court under Subchapter G, Chapter 45A.

## Summary

If a defendant appeals a misdemeanor conviction punishable by fine only to a county court, they may enter a plea of guilty or no contest. The court then has the discretion to defer further proceedings without entering an adjudication of guilt, similar to procedures in justice or municipal courts. This deferral could potentially avoid the ticket's consequences, such as points on a driving record or increased insurance rates.

[Tex. Code Crim. Proc. § 45A.302](#) [Tex. Code Crim. Proc. § 45A.302 Deferred Disposition](#)

## Extract

(a) On a plea of guilty or nolo contendere by a defendant or on a finding of guilt in a misdemeanor case punishable by fine only and payment of all court costs, a judge may defer further proceedings for a period not to exceed 180 days without entering an adjudication of guilt. (b) In issuing the order of deferral, the judge may impose a fine on the defendant in an amount not to exceed the amount of the fine that could be imposed on the defendant as punishment for the offense. (c) The fine described by Subsection (b) may be collected at any time before the date on which the period of deferral ends. A judge who orders the collection of the fine must require that the amount of the fine be credited toward the payment of the amount of any fine imposed by the judge as punishment for the offense. (d) The judge may elect not to impose the fine for good cause shown by the defendant. (e) An order of deferral under this article terminates any liability under a bond given for the charge.

## Summary

In Texas, a defendant who pleads no contest (nolo contendere) to a misdemeanor offense punishable by fine only, such as a speeding ticket, may have the proceedings deferred by a judge for up to 180 days. During this deferral period, no adjudication of guilt is entered. The judge may impose a fine, which can be collected before the deferral period ends, and this fine may be credited toward any punishment fine. The judge also has the discretion not to impose the fine if the defendant shows good cause. This deferral can terminate any liability under a bond given for the charge.

[Tex. Code Crim. Proc. § 45A.356](#) [Tex. Code Crim. Proc. § 45A.356 Judicial Actions Following Plea; Show Cause Hearing](#)

## Extract

The court shall enter judgment on a defendant's plea of nolo contendere or guilty at the time the plea is made, defer imposition of the judgment, and allow the defendant a 90-day period to successfully complete the approved

driving safety course or motorcycle operator training course and present to the court: a uniform certificate of completion of the driving safety course or a verification of completion of the motorcycle operator training course; unless the judge proceeds under Article CODE OF CRIMINAL PROCEDURE 45A.359, the defendant's driving record as maintained by the Department of Public Safety, if any, showing that the defendant has not completed an approved driving safety course or motorcycle operator training course, as applicable, within the 12-month period preceding the date of the offense; an affidavit stating that the defendant: (A) was not taking a driving safety course or motorcycle operator training course, as applicable, under this subchapter on the date the request to take the course was made; and (B) has not completed, within the 12-month period preceding the date of the offense, a course described by Paragraph (A) that is not shown on the defendant's driving record; and if the defendant does not have a Texas driver's license or permit and is a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty, an affidavit stating that the defendant: (A) was not taking a driving safety course or motorcycle operator training course, as applicable, in another state on the date the request to take the course was made; and (B) has not completed a course described by Paragraph (A) within the 12-month period preceding the date of the offense.

## **Summary**

When a defendant pleads no contest to a speeding ticket in Texas, the court can defer the imposition of judgment and allow the defendant a 90-day period to complete an approved driving safety course. If the defendant successfully completes the course and meets other requirements, such as providing an affidavit and a driving record, the court can dismiss the charge. This provides a potential strategy to avoid the consequences of the ticket.

[Tex. Code Crim. Proc. § 45A.303 Tex. Code Crim. Proc. § 45A.303 Deferred Disposition Requirements](#)

## **Extract**

Notwithstanding any other law, as an alternative to requiring a defendant charged with one or more offenses to pay all fines and court costs as required by Article CODE OF CRIMINAL PROCEDURE 45A.302, the judge may: allow the defendant to enter into an agreement to pay those fines and costs in installments during the defendant's period of deferral; require an eligible defendant to discharge all or part of those fines and costs by performing community service or attending a tutoring program under Article CODE OF CRIMINAL PROCEDURE 45A.254 or CODE OF CRIMINAL PROCEDURE 45A.460; waive all or part of those fines and costs under Article CODE OF CRIMINAL PROCEDURE 45A.257; or take any combination of actions authorized by Subdivision , , or .

## Summary

The Texas Code of Criminal Procedure allows for several alternatives to paying fines and court costs for defendants, including those who plead no contest to a speeding ticket. These alternatives include entering into an installment payment agreement, performing community service, attending a tutoring program, or having fines and costs waived. These options provide potential strategies to mitigate the consequences of a speeding ticket.

### [Misdemeanor Defense](#)

**Texas Small-Firm Practice Tools. Volume 1-2 - James Publishing - Cindy Stormer - 2022-05-05**

## Extract

Consider filing a Motion to Suppress and requesting a hearing on the Motion in a case where a detection device was used for speeding. A trial court was reversed for denying the defendant's motion to suppress on the basis that there was no evidence that the device using Light Detection and Ranging (LIDAR) technology supplied probable cause for the stop.

## Summary

The passage suggests a legal strategy of challenging the validity of the detection device used to issue the speeding ticket. By filing a Motion to Suppress, a defendant can argue that the evidence obtained from the device was not reliable or did not provide probable cause for the stop. This strategy is applicable in cases where the speeding ticket was issued based on readings from devices like LIDAR.

This memo was compiled by Vincent AI based on vLex materials available as of June 18, 2025. [View full answer on vLex](#)