

City of Victoria
Municipal Court
Judge Vanessa Heinold
Standing Orders
Effective December 4, 2025

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1. COURT SETTINGS

• DOCKET SETTINGS

IT IS ORDERED that a defendant or his attorney, who appears at the Court Clerk's Window any time prior to the issuance of a warrant, may, without requirement of posting a bond, obtain a setting on the Court's "Pre-Trial" docket or the "Attorney Plea" docket, if applicable.

IT IS ORDERED that if a defendant fails to appear for a properly noticed court date, a failure to appear charge may be issued by the prosecutor. A personal, surety, or cash bond may be required to ensure appearance for court to be determined by the Judge upon completion of bond request form submitted to the court.

• CONTINUANCES

IT IS ORDERED that a motion for continuance must be in writing and filed with the Court forty-eight (48) hours prior to the Court setting to continue a case on the Court's docket. Any deviation from this procedure must be approved by the Judge. Any party may obtain one (1) continuance without the agreement of the opposing party and without the requirement of posting a bond. Any Motion for Continuance requested at the Court Clerk's window must be made within that time period. Written Motions are required, unless the Attorney for the Defense or the State is before the Court on the date of court whereupon a verbal motion may be made. The Court, as a matter of policy, will grant one continuance per party with good cause shown. Subsequent requests for continuance will be limited and only on good cause shown, which may include but not be limited to:

1. Pre-existing court date, with appropriate documentation regarding when notified of the conflicting court date.
2. Pre-scheduled vacation dates with no refunds available
3. Conflicting Subpoenas for Witnesses
4. Conflicting training schedules for Witnesses

Motions for Continuance shall be filed as soon as practicable before the court date, based upon when the party requesting the continuance determines a conflict exists. Motions received the day of or day before the scheduled court date will not be granted unless good cause is shown.

Motions untimely filed, without good cause shown, may be denied by the Court. Motions denied, and subsequent failure to appear may have the prosecution request that a failure to appear charge be filed, a warrant executed and a personal, surety, or cash bond for new court setting required. A cash bond will be required if the failure to appear occurred on a surety or attorney bond.

- **MOTIONS TO WITHDRAW**

Any attorney who makes an appearance on behalf of the defendant or represents to the court that he or she is the attorney of record shall remain the attorney of record until a motion to withdraw as counsel or substitute counsel is granted.

- **WITHOUT A HEARING**

A motion to withdraw as attorney of record will be granted without a hearing only if the moving attorney:

- a. files a certificate stating the last known mailing address of the Defendant, and
- b. files a written consent to the withdrawal signed by the client; or
- c. includes in the motion a specific statement:
 - i. of the circumstances that prevent the moving attorney from obtaining the client's written consent and
 - ii. that the client has been notified of the attorney's intent to withdraw by forwarding a copy of the motion to said client and notice of any current settings.

2. PRE-TRIAL CONFERENCES

Any defendant requesting a bench trial or jury trial, or as otherwise specified herein, may be set for a pre-trial conference with the prosecutor. All pre-trial motions must be filed on the date of the pre-trial conference, or ten (10) days prior to trial, whichever occurs first, to be considered timely filed by the court.

Any defendant who requests a jury trial must be advised that failure to appear on the day of the trial will cause the assessment against the defendant of the costs of impaneling the jury, unless good cause is shown to the Court, pursuant to Article 45A.157 of the Texas Code of Criminal Procedure.

A pretrial with the prosecutor may be reset once without the agreement of the prosecutor. Thereafter, resets will only be granted upon agreement of the prosecution, or for good cause shown to the Court.

3. COMPLIANCE DISMISSALS WITH ADMINISTRATIVE FEE

The Court Clerks are authorized to process the dismissal of the following offenses, upon the payment of the specified administrative fee, if the evidence, set forth below, is presented. The Court Clerk must scan and record a copy of the evidence presented to the case for the dismissal to be processed.

- **Expired Registration/License Plate (Transportation Code, §502.407(b))**
 - a. If a defendant presents satisfactory evidence that he/she remedied the defect within twenty (20) working days of the date of the offense or before the defendant's appearance date listed on their citation (whichever is later); and
 - b. presents evidence of payment of late fee for registration with the appropriate tax office; and
 - c. The defendant pays the administrative fee assigned by statute.
- **Expired Driver's License (Transportation Code, §521.021)**
 - a. If a defendant presents satisfactory evidence that he/she renewed his/her driver's license within twenty (20) working days of the date of the offense or before the defendant's appearance date listed on their citation (whichever is later); and
 - b. The defendant pays the administrative fee assigned by statute.
- **Fail to Display Driver's License (Transportation Code, §521.025)**
 - a. Upon presentation of a Texas Drivers' License that was
 - i. Issued to that person;
 - ii. Appropriate for the type of vehicle operated; and
 - iii. Valid at the time of the arrest for the offense; and
 - b. The defendant pays the administrative fee assigned by statute.
- **License Plates (Transportation Code, §504.943)**

- a. The defendant remedied the defect before the appearance date listed on the citation (photographic evidence required of one or both license plates attached);
- b. The registration for the vehicle is current during the period the offense was committed; and
- c. The registration insignia was attached to the car before the defendant's appearance date listed on the citation; and
- d. The defendant pays the administrative fee assigned by statute.
- **Obscured License Plates (Transportation Code, §504.945)**
 - a. If the defendant presents photographic evidence that he/she remedied the defect before the appearance date listed on the citation; and
 - b. The defendant pays the administrative fee assigned by statute.
- **Change of Name or Address (Transportation Code, §521.054 (d))**
 - a. If defendant presents satisfactory evidence that he/she remedied the defect before the appearance date listed on the citation; and
 - b. The defendant pays the administrative fee assigned by statute.
- **License Endorsements (Transportation Code, §521.221)**
 - a. If defendant presents satisfactory evidence that the driver's license endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of offense, or was in error;
 - b. The Department of Public Safety (DPS) removes the restriction or endorsement before the appearance date listed on the citation; and
 - c. The defendant pays the administrative fee assigned by statute.
- **Equipment Violations (Transportation Code, §547.004 (c))**
 - a. If the offense does not involve a commercial motor vehicle;
 - b. The defendant presents satisfactory evidence that he/she remedied the defect before the appearance date listed on the citation; and
 - c. The defendant pays the administrative fee assigned by statute.
- **Expired Handicap Parking Placard (Transportation Code, §683.013)**

- a. If the placard has been renewed on or before the appearance date listed on the citation; and
- b. The defendant pays the administrative fee assigned by statute.
- **Operate Vehicle Without Registration Displayed (Transportation Code, §502.473(d)**
 - a. The defendant presents satisfactory evidence that he/she remedied the defect before the appearance date listed on the citation; and
 - b. The defendant pays the administrative fee assigned by statute.

4. DISMISSALS WITHOUT FEE

IT IS ORDERED that any time prior to the date of hearing for a citation of “Fail to Maintain Financial Responsibility” a Court Clerk may accept proof of financial responsibility for dismissal, after verification, if it complies with the following requirements:

1. A typewritten, company generated proof of insurance card covering the day the citation was issued;
2. Includes the name and address of the insurer;
3. Includes the name and address of the insured;
4. Includes the insurance policy number;
5. Includes the policy period;
6. Includes the make and model of the covered vehicle; and
7. Includes a statement that the insurance coverage meets the minimum standards for liability coverage as required by the State of Texas.

Acceptable proof of financial responsibility, which contains the effective date and time, shall be compared to the citation to determine if the effective date and time establish financial responsibility. If the proof contains only an effective date, the Court Clerk shall verify with the agency the time in which the policy was instated if the date of citation and the date of policy are the same. If the Defendant presents an operator’s policy or presents evidence of financial responsibility for any vehicle driven by the Defendant, the Court Clerk may accept the documents presented for dismissal, after verification. Premium notices, payment receipts and/or handwritten documents are not “acceptable proof” of financial responsibility. Fleet

notices may be accepted by the Court Clerk for dismissal, after verification, if the defendant presents valid proof consistent with the criteria above and indication of authorization to drive the covered vehicle.

5. DEFERRED DISPOSITION

IT IS ORDERED that the Court Clerk may process requests for Deferred Disposition (“Deferred”) from a Defendant, or his attorney, at the Court Clerk’s window and may complete paperwork for the Judge’s signature if the defendant meets the eligibility requirements set forth below. Defendants not meeting said eligibility requirements may present their request for Deferred to the Court appearing on or before their “Initial Appearance”, “Attorney Plea”, or “Pre-Trial” docket.

- **MOVING VIOLATIONS**

A Defendant is eligible for Deferred Disposition “at the Court Clerk’s window” for a moving violation if:

1. The Defendant shows proof of a Driver’s License or government-issued ID card;
2. The Defendant pays total amount of citation or makes a down payment of fifty (50) dollars at the time the deferred disposition is requested and agrees to make payments on amount owed over the period of ninety (90) days;
3. The Defendant is at least 25 years of age; or
4. If defendant under age 25 is charged with a moving traffic offense, the court shall require DSC; or
5. If the defendant holds a provisional license, the court shall require the defendant to be examined by DPS under Sec 521.161 (b)(2) T.C. in addition to the completion of DSC;
6. The Defendant has not been granted Deferred in the City of Victoria within twelve (12) months of the date of citation;
7. The Defendant is not currently on Deferred in the City of Victoria.

IT IS ORDERED that final disposition shall be deferred for ninety (90) days.

A Defendant is NOT eligible for Deferred Disposition “at the Court Clerk’s window” for a moving violation if:

1. The driver is a holder of a Commercial Driver’s License (CDL);
2. The offense occurred in a construction or maintenance work zone when workers were present;
3. The offense involves passing a school bus;
4. The offense involves failing to obey a school crossing guard; or
5. The offense involves speeding more than **20** mph or more over the posted speed limit; or
6. The offense involves speeding more than **85** mph.

● **NON-MOVING VIOLATIONS:**

A defendant is eligible for Deferred Disposition “at the Court Clerk’s window” for non-moving violations if:

1. The Defendant shows proof of a Driver’s License or government-issued ID card;
2. The Defendant pays total amount of citation or makes a down payment of fifty (50) dollars at the time the deferred disposition is requested and agrees to make payments on amount owed over the period of ninety (90) days;
3. The Defendant has not been granted Deferred in the City of Victoria within twelve (12) months of the date of citation; and
4. The Defendant is not currently on Deferred in the City of Victoria.

IT IS ORDERED that final disposition shall be deferred for ninety (90) days.

A Defendant is NOT eligible for Deferred Disposition “at the Court Clerk’s window” for non-moving violations if the offense charged is found within the Texas Penal Code or Texas Health and Safety Code. In addition, a Defendant is NOT eligible for a Deferred Disposition if they are charged for a third (or more) time with the same violation.

IT IS FURTHER ORDERED that upon verification of successful completion of deferral terms, the Court Clerk shall present the case to the judge for dismissal. If the Defendant fails to adhere to deferral terms, the Defendant shall be summoned to court to show good cause why the terms were violated. If the Defendant fails to appear, a final judgment shall be prepared for the

Judge's signature without unnecessary delay. A time payment fee shall not be assessed until after the 31st day after final judgment has been entered by the Court.

6. DRIVING SAFETY COURSE

IT IS ORDERED that the Court Clerk may accept a request for the Driving Safety Course (DSC) "at the Court Clerk's window" if the following requirements are met:

1. The Defendant requests DSC on or before the appearance date stated on the citation.
2. Senate Bill 296 passed in the 89th Legislative session authorizes one driving safety or motorcycle operator course to dismiss multiple charges stemming from a single criminal transaction. This standing order authorizes a Court Clerk to allow one driving safety or motorcycle operator course to dismiss multiple charges occurring within a single criminal transaction.
3. The Defendant files with the Court a signed affidavit complying with all eligibility requirements for DSC as set forth in the Texas Code of Criminal Procedure, §45A.353
4. The Defendant provides proof of financial responsibility, pursuant to the Texas Transportation Code, valid and in force as of the date the Defendant requests a DSC with the Court. Proof must conform to Standing Order No.4.
5. The Defendant presents a valid Texas Driver's License or active-duty military ID or spouse, dependent of active-duty military.
6. The Defendant presents a Certified List of All Accidents and Violations on Record (Type 3 A) Driver Record with submittal indicating the Defendant has not completed a driving safety course for the purpose of disposing of a moving violation citation for the twelve (12) months preceding the date of the citation.
7. The Defendant pays the Court Costs and administrative fees assigned by statute for each eligible offense.

IT IS ORDERED that the Court Clerk may accept proof of completion of the Driving Safety Course (DSC) "at the Court Clerk's window" or by mail under the following circumstances:

1. The Defendant presents a uniform course completion certificate for DSC.

2. The course certificate is the standard State issued "Court Copy" of the uniform certificate, with no alterations made, and signed by the Defendant.

IT IS ORDERED that upon presentation and verification of completion, the Court Clerk shall present the case to the judge for dismissal. If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Defendant shall be summoned to court to show good cause why the evidence was not submitted timely. If the Defendant fails to appear, a final judgment shall be prepared for the Judge's signature without unnecessary delay. No payment fee shall be assessed until after the 31st day after final judgment has been entered by the Court.

IT IS FURTHER ORDERED that in the event the Defendant presents a uniform course completion certificate for DSC that indicates the course was completed prior to the date the Court grants DSC, the Court Clerk shall refer the case to the Judge for consideration.

7. TIME PAYMENT PLANS

IT IS ORDERED that the Court Clerk may process a request for a subsequent time payment plan from a person who appears at the Court Clerk's window claiming inability to pay their fine in full under the following guidelines:

1. The first payment must be at least fifty (50) dollars;
2. The remaining payments must be at least fifty (50) dollars a monthly;
3. The Court Clerk shall verify Defendant current address, e-mail address (if applicable), and phone number (home or cell);
4. The Court Clerk shall apply the State Time Payment fee required in each case judgment is entered past the 31st day.
5. The Defendant shall sign the time payment plan agreement. The Defendant must contact the Court Clerk if he or she is unable to fulfill the payment agreement prior to the payment due date.

6. If the Defendant is in default, the Court Clerk may have discretion to cancel the current agreement and re-establish a new payment plan as a one-time courtesy to the defendant with the defendant paying fifty (50) dollars.

The Court Clerk may use the system-generated form to create the payment plan so long as the Defendant is advised of and agrees to the terms by signature.

8. PAYMENTS RECEIVED BY MAIL AND UNTIMELY AND DEFICIENT PAYROLL

IT IS ORDERED that the Court Clerk may process a time payment for a fine or fee in the form of cash, cashier's check, or money order received by mail if the amount is fifty (50) dollars or greater. No partial payments will be accepted for payment plans. If a Defendant submits a partial payment, that payment will be returned to the Defendant as soon as possible. In addition, court personnel shall instruct said defendant of the option to attend open docket and notify said Defendant of available dates.

9. EXTENSIONS

IT IS ORDERED that a Defendant who appears at the Court Clerk's window to plead "guilty" or "nolo contendere" ("no contest") may receive an extension to pay the fine of up to thirty (30) days from the date of the "guilty" or "no contest" plea with a minimum payment of fifty (50) dollars. The Defendant shall complete and sign the appropriate plea form for such an extension.

IT IS FURTHER ORDERED that the Court Clerk is authorized to grant an extension of an existing payment plan for a period not to exceed thirty (30) days provided that the defendant has made at least one payment within the preceding thirty (30) days. A payment plan may not be reinstated or extended by a Court Clerk more than three times within any six-month period. At that time, the defendant will be referred to open docket for a judicial review and consideration of alternatives.

10. WARRANTS

IT IS ORDERED that a Defendant who appears at the Court Clerk's window for whom a warrant of arrest has been issued and enters a plea of "guilty" or "no contest," the Court Clerk may

process the full payment and clear the warrant. The warrant shall immediately be recalled upon receipt of full payment of fine and court costs.

IT IS FURTHER ORDERED If a defendant is requesting a hearing, court date, or a payment plan option, refer to standing order 15 for the process regarding voluntary surrender of defendants with arrest or capias pro fine warrants. The judge may require a personal, cash, or surety bond to ensure appearance in court in accordance with Art. 45A.107 CCP.

11. COMMUNITY SERVICE PROGRAM

• CALCULATION OF COMMUNITY SERVICE HOURS

The following requirements apply to the calculation of community service hours:

1. **Calculation by Court Clerk:** Credit for community service will be calculated by the Court Clerk at a rate not less than \$150 per 8 hours worked (\$18.75 per hour), unless a different amount is ordered by the Judge.
2. **How calculated:** The Court Clerk will calculate the amount of community service hours required by applying this formula to the total dollar amount of all judgments ordered to be satisfied by community service: Total \$ amount owed ÷ 150 x 8 = number of hours required.

• AWARD OF COMMUNITY SERVICE CREDIT

The following requirements apply to award community service credit:

1. **Verification:** Once a Defendant turns in a log showing community service hours worked, the Court Clerk will verify the hours with the agency at which the community service was performed. Upon verifying the hours, the Court Clerk will place the hours in the Judge's box for final approval. If unable to verify the hours were performed at an approved community service location, the Court Clerk will notify the Judge for further instruction.
2. **How calculated:** The Court Clerk will calculate the amount of community service hours required by applying this formula to the total dollar amount of all judgments ordered to be satisfied by community service: Total \$ amount owed ÷ 150 x 8 = number of hours required. Hours will be rounded to the closest whole number.

3. **How applied:** Once the Judge approves the hours, credit will be applied. As soon as sufficient credit has been applied to satisfy a judgment, that case may be closed by the Court Clerk without further orders by the Judge. If credit is insufficient to satisfy a judgment, then the remaining balance on the case will be adjusted by the Court Clerk. If the defendant has multiple cases with community service option, the credit shall be applied to the oldest case first.

4. **If credit disputed:** If the defendant disputes the amount of credit awarded and cannot resolve that dispute through discussions with the Court Clerk, he or she must see the Judge to have the community service reviewed.

- **COMMUNITY SERVICE AGENCIES**

Community service work may be performed for a governmental entity, school, substance abuse treatment center, nonprofit, or religious organization that provides services to the general public that enhance social welfare and the general well-being of the community, or it will not count. All hours are subject to verification by the Court Clerk.

12. USE OF ELECTRONIC DEVICES

IT IS ORDERED that there is no photographing, recording, broadcasting or televising of any person, object or proceeding inside the Municipal Court of Victoria, Texas, unless previously authorized by the Judge. Authorization may be requested in writing or in person. The Court Security Officers and Court Bailiffs shall be extra vigilant in ensuring that cellular devices, laptop computers, tablet computers and any other electronic recording device or photographic equipment are not used to photograph, record, broadcast or televise any person, object or proceeding in the Municipal Court of Victoria, Texas.

IT IS FURTHER ORDERED that any individual who violates this Order may be subject to being removed from the Municipal Court of Victoria, Texas, having their electronic device (cellular device, laptop computer, tablet computer and any other electronic recording device or photographic equipment) confiscated by the Court Security Officers and/or Bailiff, and/or being found in Contempt of Court. Should any device be confiscated, it will be returned to the owner upon exit of the building.

13. MEDICAL RELEASE OF INMATES

On this date, the Court entered the following **ORDER** with respect to medical release of City inmates from the Victoria County Jail:

- **CIRCUMSTANCES REQUIRING HOSPITALIZATION: HOLD RELEASED**

In the event a city inmate at the Jail develops, in the opinion of the Jail supervisor or medical director, a serious medical condition requires hospitalization or medical treatment outside the Jail, a Jail supervisor will take the following steps:

1. **During the Court's business hours:** If the need for hospitalization or outside treatment occurs during business hours, the supervisor will contact the Court prior to transporting or releasing the inmate to obtain an order from the Judge. The Judge will advise the supervisor at that time of any continuing obligation the inmate has regarding the inmate's charges, and the Jail staff will advise the inmate whether there is a continuing obligation remaining. If a personal bond is set, the Jail staff will advise the inmate of the return date on the bond and give a copy of the bond to the inmate before release.
2. **After business hours:** If the need for hospitalization or outside treatment occurs after business hours, the supervisor may authorize the transport or release of the inmate without a Judge's order. The supervisor will contact the Court on the next business day to advise a Judge of the circumstances of the release. The Judge will then enter appropriate orders to the Jail regarding the inmate's status.

14. PERSONAL BOND GIVEN TO CITY INMATES

IT IS ORDERED that any defendant arrested on a Class C Misdemeanor or Class C warrant issued by City of Victoria Municipal Court will have the following procedure:

1. All City Inmates shall be given a personal bond after being booked into the Victoria County Jail.
2. The personal bond does not require sureties, but a promise to appear.

3. The city inmate must sign the personal bond indicating the date and time they must appear.
4. A city inmate is not eligible for a personal bond if the city inmate is arrested on a higher charge (Class B or above) along with the City of Victoria Class C Misdemeanor.

15. VOLUNTARY SURRENDER OF PERSONS WITH ARREST WARRANTS

To promote justice, ensure due process and the equal treatment of all persons, some of whom may be indigent or facing financial hardships, and to help clear outstanding arrest warrants and capiases, this court will initiate a policy of not arresting or jailing any person who voluntarily surrenders themselves to the City of Victoria Municipal Court.

THEREFORE, IT IS ORDERED that any Defendant who voluntarily appears in open Court before the judge will not be arrested or jailed and will be able to:

Appear before the judge without the requirement of posting a cash bail or a surety bond by setting their case for a court date to discuss legal options available to them regarding their case. Defendants who have already been convicted and who have outstanding Capias Pro Fines are not eligible for trial. Upon appearance in court, the Judge may recall any pending warrants or capiases.

IT IS ORDERED that all Court personnel and Court Clerks shall instruct all voluntary surrender defendants of the option listed above and provide all available dates for said docket. The defendant will be informed that the warrant will remain outstanding until the appearance in court is made.

16. ELECTRONIC FILING PERMITTED

Any and all motions and/or documents that need to be filed with the court (community service forms, financial affidavits, requests for virtual attendance, request for jail time credit, requests for resets, driver's safety course certificate of completion, proof of alcohol or Tobacco course completions, and/or any other "document-type" conditions that may be required according to the terms provided by the court) may be filed electronically with the court. All due dates remain intact, and any item emailed or electronically filed must be filed by end of the day.

17. DISCOVERY

Discovery in cases filed in this court is governed by Art. 39.14 Texas Code of Criminal Procedure. Generally, if properly and timely requested, the city prosecutor (“the State”) is required to produce discoverable documents for inspection and electronic duplication, copying and photographing by the defense. As such, all motions for discovery filed with the court will be time-stamped and submitted to judge for review. A motion for discovery may be denied, approved or set for hearing. If the motion is denied, a copy will be sent to the city prosecutor and the defendant or defense counsel. If the motion is set for hearing, notice of hearing date will be sent to the prosecutor and defendant or defense counsel. If the motion for discovery is granted, the motion for discovery will be submitted to the city prosecutor for compliance. IT IS THEREFORE ORDERED that when inspection is requested by the defendant, the city prosecutor (“the State”) shall produce any and all documents and items clearly discoverable under Art. 39.14 Texas Code of Criminal Procedure.

18. PENNY SHORTAGE

The Court Clerk shall have the ability and discretion to waive up to \$0.04 cents of any fine, fee or cost as needed to round total amount to nearest nickel to accommodate lack of penny availability and/or production within the Unites States.



Signed this the 4th day of December 2025

Vanessa Heinold, Municipal Court Judge

City of Victoria

Victoria County, Texas