Saying no to the breath test on a Saturday night near the American Airlines Center can feel like the end of the conversation with police. In Texas it is usually the start of a different one. Refusing a test does not stop a DWI charge, and it sets off its own set of consequences for your license. Dallas DWI Lawyers works with people across the city who declined a breath or blood test after a stop and now want to know where they stand on both the license side and the criminal side. Texas has an implied consent law in Transportation Code chapter 724. By driving on Texas roads, a driver is treated as having agreed to give a breath or blood specimen if lawfully arrested for DWI. Refusing generally leads to a license suspension of at least 180 days for a first refusal. That suspension runs through the Administrative License Revocation process, a civil case handled by DPS that is separate from the criminal charge. You have 15 days from receiving notice of suspension to request an ALR hearing before the State Office of Administrative Hearings, and that request is often the first real step in the defense. A refusal also does not end evidence collection. Officers can apply for a blood search warrant, and in Dallas County that happens quickly on holiday weekends, when no refusal enforcement puts on-call judges in place to sign warrants through the night. If blood was drawn under a warrant, the defense looks at the affidavit behind it, the timing of https://zanebfxm817.meridiannest.com/posts/knox-henderson-dwi-stops-and-your-defense-options the draw, who drew the sample and how it was handled and tested. Prosecutors can also use the refusal itself as evidence at trial, so part of the work is putting that decision in context. People refuse for many reasons, including confusion, fear or distrust of a machine.

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Without a breath number, many refusal cases rest on officer observations, field sobriety tests and video. Texas law does not require a test for a DWI charge, so those observations get close attention. A stop on McKinney Ave in Uptown, in Victory Park after an event, or on Cedar Springs Rd in Oak Lawn will each have its own video and paperwork. Chris Eggleston, who earned his law degree cum laude from Texas A&M University School of Law and interned with the Federal Public Defender for the Northern District of Texas, is part of the team reviewing that evidence. A DWI defense attorney can also explain whether an occupational driver license may help during the suspension. Do not let the 15-day ALR window pass while you wait to see what happens. Call or text Dallas DWI Lawyers at (945) 403-4331, 24/7, for a free case evaluation. Spanish, Russian and Ukrainian are spoken, and you can meet with the team at the St Paul Street office in downtown Dallas or start the conversation by phone the same day.

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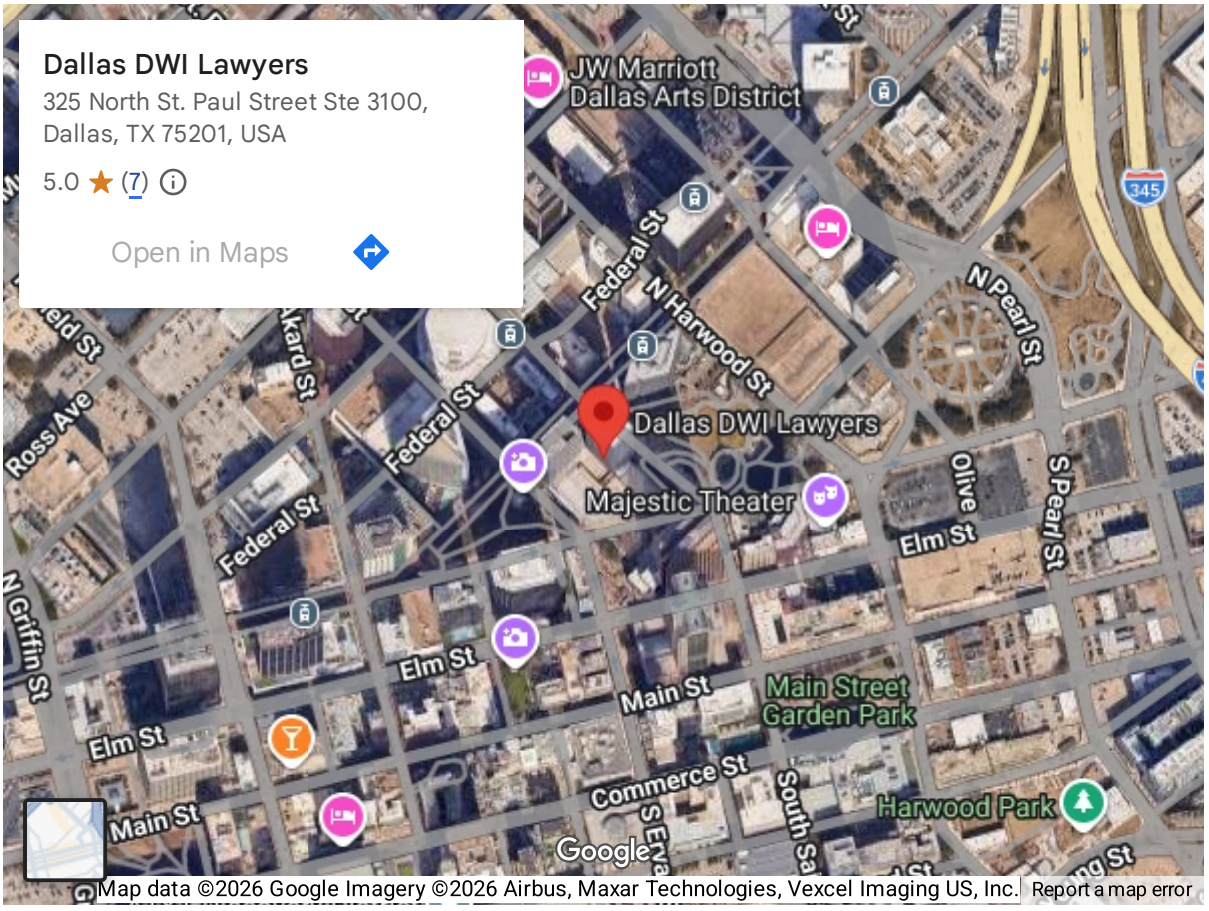

FAQ About

DWI Defense Attorney in Dallas How much is a DWI lawyer in Texas? Fees depend on whether the case is a first offense misdemeanor or a felony, whether there is an ALR hearing to fight, and whether the case goes to trial. Dallas DWI Lawyers starts with a free case evaluation so you can hear what your specific case involves before you commit to anything. Call or text (945) 403-4331 to set one up. What happens after a DWI arrest in Dallas? Most people arrested in Dallas are booked at the Lew Sterrett Justice Center and released on bond, often with conditions such as an ignition interlock. Misdemeanor DWI cases then move through the County Criminal Courts at the Frank Crowley Courts Building, while a separate license suspension case starts with DPS. The team at Dallas DWI Lawyers deals with both tracks from the first call. How long do I have to request an ALR hearing in Texas? The request must be made within 15 days of receiving notice of the license suspension, which is usually the day of the arrest. Missing that window means the suspension can take effect without a hearing. Dallas DWI Lawyers files ALR requests and represents drivers at the hearing, so call (945) 403-4331 as early as you can. Is a first DWI a felony in Texas? A standard first DWI is a Class B misdemeanor with a minimum of 72 hours and up to 180 days in jail, and a fine of up to $2,000. It becomes a Class A misdemeanor if a test shows 0.15 or more, and it can be a state jail felony if a passenger under 15 was in the car. Our downtown Dallas office on St Paul Street handles every level of these charges. Can a DWI be dismissed in Texas? Dismissals do happen, usually when the stop lacked reasonable suspicion, the arrest lacked probable cause, or the breath or blood evidence has problems. No lawyer can promise a dismissal, but Dallas DWI Lawyers prepares each case as if it is going to trial and reviews the video, reports and lab records for weak points. Should I refuse a breath test in Texas? Texas is an implied consent state, so a refusal can bring a license suspension of at least 180 days and can be mentioned at trial. Officers can also get a blood warrant, especially during Dallas County no refusal weekends. Every situation is different, so talk to a DWI defense attorney about how a refusal affects your own case. Can I still drive after a DWI arrest in Dallas? Usually yes, at least for a short time, because the suspension does not start right away and a timely ALR request can hold it off until the hearing. If a suspension does take effect, an occupational license may let you drive to work, school and essential errands. Dallas DWI Lawyers helps with both, starting with a call to (945) 403-4331. How long does a DWI stay on your record in Texas? A DWI conviction stays on your Texas criminal record permanently unless the law gives you a way to seal or clear it. Some first-offense cases may qualify for nondisclosure, and expunction is generally limited to dismissals, acquittals and no-bills. The firm can review your eligibility during a free case

evaluation. What makes a DWI a felony in Texas? A DWI becomes a felony with two prior intoxication convictions, a passenger under 15, a serious injury (intoxication assault) or a death (intoxication manslaughter). These carry prison ranges from 180 days in a state jail up to 20 years. Managing Attorney Gary L. Medlin has been Board Certified in Criminal Law by the Texas Board of Legal Specialization since 1989. Do I need a lawyer for a first DWI in Texas? You are not required to have one, but a first DWI can still mean jail time, fines, a license suspension and a permanent record. A lawyer can challenge the stop and the testing, and may be able to pursue options such as deferred adjudication where the law allows it. Dallas DWI Lawyers answers calls and texts 24/7 at (945) 403-4331. Can a DWI be reduced to a lesser charge in Texas? In some cases, problems with the evidence lead prosecutors to offer a reduced charge such as obstructing a highway or reckless driving. Whether that is possible depends on the facts, the test results and your history. Attorneys at Dallas DWI Lawyers include former prosecutors who understand how those decisions get made in Dallas County. What is the difference between a DWI and a DUI in Texas? In Texas, DWI is the charge for adults who are intoxicated while driving, while DUI is a Class C charge for drivers under 21 with any detectable amount of alcohol. A young driver can face either charge depending on the evidence. Dallas DWI Lawyers defends underage drivers from SMU, University Park and across Dallas.