

OTHER DISMISSALS

Motions	Hearing	Fee	Dismissal
Defense	Pre-trial (prosecutor notified and gets copies) or trial. (Example: motion to quash complaint - quash means to set aside and dismiss)	None	Depends on information presented at hearing. Judge may grant motion and dismiss.
State (Prosecutor - City Attorney or Deputy City Attorney)	Pre-trial or trial. Depending on motion, defense gets copy. (If motion to dismiss, court should notify defendant and attorney, if any, if charge dismissed.)	None	Depends on information presented at hearing. Article 32.02, C.C.P. provides that the attorney representing the State may, by permission of the court, dismiss a criminal action at any time, upon filing a written statement with the papers in the case setting out his/her reasons for such dismissal, which shall be incorporated in the judgment of dismissal. No case shall be dismissed without the consent of the presiding judge.

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