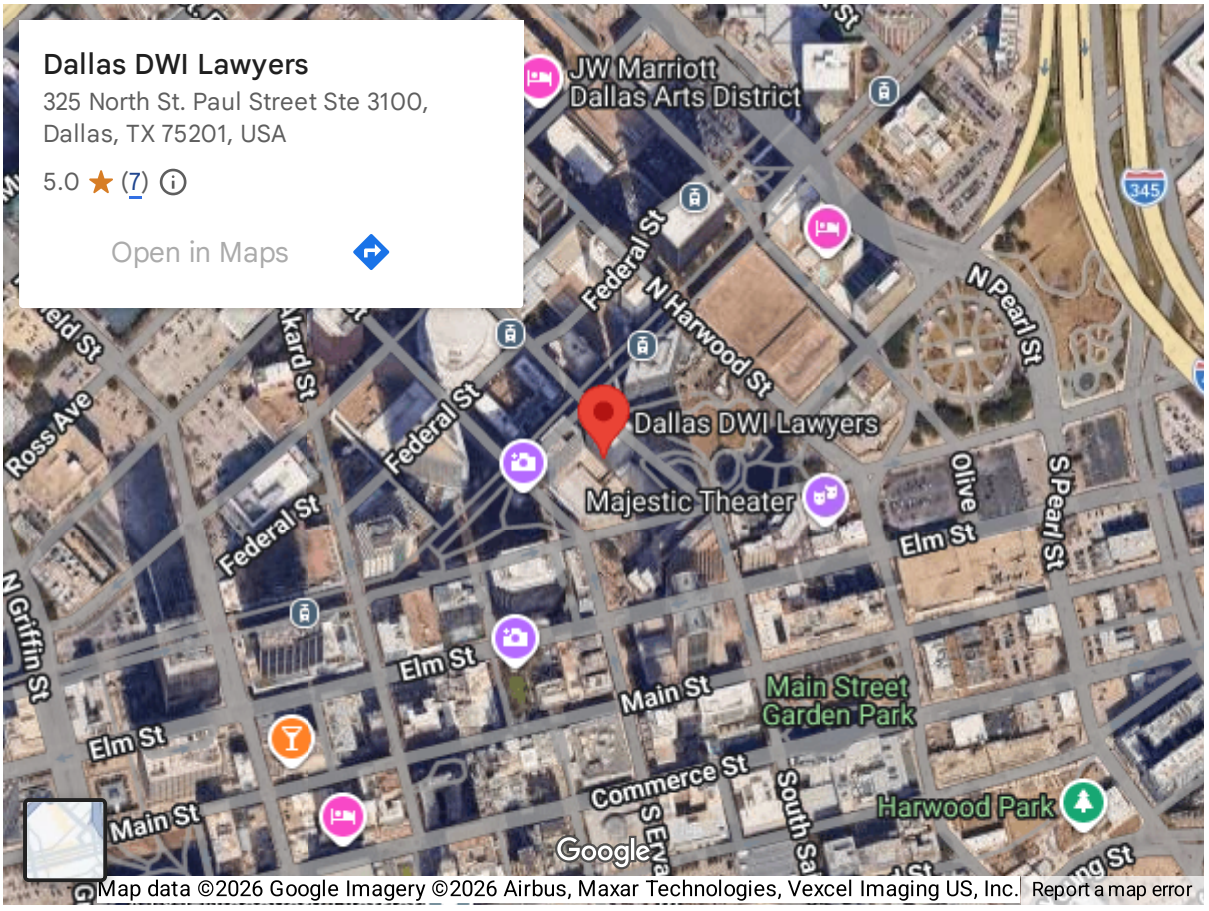
Northwest Highway at one in the morning is a hard place to stand on one leg. Field sobriety tests are usually given on the shoulder of a busy road, under flashing lights, with traffic passing a few feet away, in whatever shoes someone happened to wear to dinner in Preston Hollow or a night out on Lower Greenville. Officers treat the results as evidence of intoxication, but the way these tests are given and scored can be questioned. Dallas DWI Lawyers reviews field sobriety evidence closely in every case it takes on. The standardized tests most agencies use are horizontal gaze nystagmus, the walk-and-turn and the one-leg stand. Each has instructions officers are trained to give and clues they are trained to look for. When the instructions are rushed, the ground is uneven, or the driver has an injury, a balance problem or simply nerves, the results may say very little about alcohol. Under Texas Penal Code 49.04, intoxication can be shown by loss of normal use of mental or physical faculties, so prosecutors lean on these roadside tests heavily when there is no breath or blood number, or when the number is low. Video is often where the real story shows up. Body camera and dash camera footage can be compared line by line with the written report, and differences matter. A report might say a driver stepped off the line several times, while the video shows one small stumble on a sloped curb. Gary L. Medlin, the firm's founder, spent more than eight years as an Assistant District Attorney in Tarrant County and is a founding member of the DUI Defense Lawyers Association. A DWI defense attorney with that https://cashtuni317.vantagequill.com/posts/field-sobriety-test-challenges-with-a-dallas-dwi-defense-attorney background knows what a careful officer is supposed to do, and where a hurried roadside test falls short of that standard.

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Location plays a part too. Highland Park DPS and University Park PD make stops around SMU, Snider Plaza and Hillcrest. Dallas Police patrol Oak Lawn along Cedar Springs Rd and Lemmon Ave, and DPS troopers work the Dallas North Tollway. Lighting, slope, curbs and traffic noise differ at each spot, and the defense looks at all of it. Field sobriety results also tie into the bigger legal questions. The firm reviews whether the officer had reasonable suspicion for the stop and probable cause for the arrest, and if the tests were a major part of that probable cause, problems with them can affect both the criminal case and the separate ALR license hearing. Write down what you remember about the roadside tests while it is still fresh, including the surface, the lighting and what the officer told you to do. Then call or text Dallas DWI Lawyers at (945) 403-4331, 24/7, for a free case evaluation. The office is on St Paul Street in downtown Dallas, near the DART St. Paul station, and the ALR request deadline of 15 days means an early call is worth making.

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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.