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Trial written declaration speeding ticket sample

Filing a trial by declaration may be a good option. In California, filing a TBD allows you two shots at winning your ticket, first by paper, and second by live trial. If you are going to file a TBD, make sure it's complete and complies with the following 10 DO'S AND DONT'S WITH A TRIAL BY DECLARATION: DO Post Bail - CVC 40902(b) requires that if you want to contest your case by mail, you must deposit bail. DO Send It On Time - Judges are notoriously finicky. You don't want to be found guilty simply because the judge was a stickler for time. DON'T Admit Guilt - As much as you want to say you're guilty but that you are a good person with a good explanation don't ever admit that you committed a violation (even 67 in a 65 zone is still a violation). The problem is as interesting as you think your story is, judges just don't give a hoot about you or your problem. Judges know the law and simply determine the facts from the submitted declarations and determines whether the established facts were in violation of the law. When you go claiming that you did speed or did cross the line abruptly the judge stamps it with a guilty all because you established the fact and the proof of the violation. DO Ask For Traffic School - Traffic School is great, but if you don't ask for it the judge is not going to assume that you want it. Make sure it's in there. I always start mine out with "In the alternative, should the court find me guilty, I request that traffic school be granted for the following reasons..." DO Handcraft an Argument DO Demand that the Officer Meets the Burden of Proof DON'T Give Excuses DO Back Assertions Up With Documents DO Keep it Short DO Keep Your Address Current with the DMV DON'T Use an Legal Document Assistant Service to prepare your Written Trial By Declaration Hiring an attorney to defend your traffic ticket may mean the difference between a conviction and a dismissal. With high fines, DMV points and your license at stake, you need an experienced traffic law firm to handle it. Our traffic attorneys are the best in the business because: We know the law and procedure that govern traffic law and traffic courts. We use the knowledge we've gained to get an advantage in court. Knowing the right legal maneuvers may mean the difference between a conviction and a dismissal. Under Penal Code 977 we can make all your court appearances without you having to be present. In most cases, you will never have to go to court. We appear on your behalf and represent you to the fullest extent of the law. Hiring an attorney doesn't have to be expensive. Our fees are reasonable because we have designed our business to be efficient. Many clients actually save money because they have hired our law firm. [DATE][Name of Judge][Address of Court][City, State, Zip Code]RE: Appeal of speeding ticket number [NUMBER]Dear [Name of Judge]:This letter is a formal request to appeal a speeding ticket I received on [DATE]. My name and address are above and the ticket number is [NUMBER]. The license plate of my car is [NUMBER]. I received the ticket on [Name of Street] for [driving 40 mph in a 25 mph zone].I agree I was driving over the speed limit and that the officer was right to give me the ticket. I have driven that street for [15 years] and was not aware the speed limit had been lowered. The new speed limit sign is not easy to see as it is partially covered by the sign of a local restaurant. I have enclosed a photograph of the sign. This is my first speeding ticket as I am a very careful driver. I am sorry for having driven too fast and would never have done so if I had seen the new speed limit sign. I humbly request that the ticket be dismissed because it will cause my insurance premium to be raised, which I cannot afford. My younger brother and I are orphans, and I am raising him on my salary alone. I am willing to enroll in a defensive driving course if this will help with my request. Thank you for taking the time to consider my request to have the speeding ticket retracted. I can be reached at [Phone Number] or at [Email Address]. Sincerely,[Signature of Driver][Printed Name of Driver]List of Enclosures: [photos of the speed limit sign] Vehicle Code Section 40902 allows the defendant (you the cited driver) to contest citations in writing, without having to make a personal appearance in court. A Trial by Written Declaration is available in cases involving infractions of the Vehicle Code or of local ordinances of the Vehicle Code. Violations eligible for a Trial by Written Declaration must be infractions only. Misdemeanors and cases involving accidents are ineligible for a Trial by Written Declaration. Trial by Written Declaration Trial by Written Declaration Where do I obtain a TR-205? A Trial by Written Declaration (TR-205) fillable PDF form can be accessed at . What does the court require of me to process a TR-205? You will have to plead not guilty, request the Trial by Written Declaration and pay the bail amount for your citation. What is the Bail amount? As required by the court when using a Trial by Written Declaration, you must pay your bail (the fine of your ticket) up-front when processing your paperwork. When you mail your documents include a check payable to Superior Court for your bail amount. If you do not know the bail amount or if you have not received your courtesy notice from the court, call the court to get the bail amount for your citation. Who do I make the bail check payable to? Make your bail check payable to Superior Court and mail it to Ticket Busters with your signed engagement letter and Trial by Written Declaration. How long does it take to get results from the court? After submitting your completed Trial by Written Declaration to the court, you will be notified by the court at your preferred address within 60-90 days from the date of submitting your documents to the court. What if my ticket is dismissed? The court will dismiss the violation so the point(s) associated with the violation will not show up on your driving record and the court issues you a full refund of your bail amount. What if I'm found guilty or unsatisfied with the court's decision? The court will allow you to have a new trial, also known as a Trial De Novo. As required by the court, you must submit a written request for a new Trial by Written Declaration, within 20 calendar days of the court's decision. What is a Trial De Novo (TR-220)? Trial De Novo means "all things are new" (Judge, Venue and Evidence) and is in court, in person. Where do I obtain a TR-220 form? A Trial De Novo (TR-220) fillable PDF form can be accessed at . If the court accepts my TR-220, will I have to go to court? Yes, a Trial De Novo is always in person, in court. (If indeed you have a new trial). Do I need legal representation in court for a TR-220? Once you process the request with the court for a new trial on your own behalf, you will have to make the personal appearance in court yourself. Law firms are available for legal representation in court, but are not mandatory. We are strictly a professional filing agency and not a law firm, so we do not offer representation for you in court. If I'm found guilty in court will I still qualify for traffic school? As long as you have not been to traffic school in the last 18 months and the court honors traffic school for the type of violation you committed, you should get traffic school upon requesting it from the judge. See CVC section 4200, People vs. Wozniak. Get started now and save \$30 Or call 800-850-8038 and one of our ticket professionals will help. Review WELCOME TO THE #1 WEBSITE TO DEAL WITH YOUR CALIFORNIA TRAFFIC TICKETS Get It Dismissed Or 100% Money Back No Court Appearance Necessary No Hidden Fees Whatsoever Get It Done Fast & Easy / Risk Free Sign Up Here Get It Dismissed Or 100% Money Back No Court Appearance Necessary No Hidden Fees Whatsoever Get It Done Fast & Easy / Risk Free Sign Up Here UNLIKE OUR COMPETITORS!- WE DO NOT REQUIRE FOR YOU TO APPEAR IN A TRIAL DE NOVO (COURT TRIAL) TO GET OUR MONEY BACK GUARANTEE.-2- EVEN IF THE TICKET IS REDUCED BUT NOT DISMISSED WE STILL HONOR OUR MONEY BACK GUARANTEE Speeding Ticket trial by declaration sample - Yes, in California, it is possible to fight a speeding ticket for 22349 a vc , 22349 b vc, 22350 vc or 22356 b vc with a process called trial by written declaration. A trial by written declaration is a process pursuant to California vehicle code section 40902 vc by which a defendant may choose to fight a traffic infraction ticket by mail without appearing in traffic court. In order to do a trial by written declaration the defendant must use court form TR-205. This form is a fairly simple form where the defendant must enter some basic information such as name, address, citation number etc, and submit the form to the court which must include a statement of facts. The statement of facts is where the defendant must explain the reasons for which he/she thinks the ticket must be dismissed. Therefore, preparing the statement of facts portion of the form is the most critical part of a trial by written declaration for a positive outcome. In order to prepare a successful argument for the statement of facts a viable speeding ticket declaration strategy is needed. It is absolutely critical to have the necessary knowledge to prepare an argument that is based on facts and can stand in court. Your Honor, I respectfully request that this citation be dismissed based on the statement as set forth herein. Moreover, kindly accept this correspondence as my formal plea of not guilty. On April 1, 2017, I was traveling southbound on the I-5 freeway. On said day and location, I was pulled over by an Officer and cited for violating California Vehicle Code Section 22349(a). However, I do not believe that I exceeded the speed limit as alleged by the officer as there were two large trucks in front of me and other vehicles in the lane next to me traveling at a higher rate of speed. If however this case is not dismissed, even though I contend that I believe that I am not guilty of this violation, if eligible, I hereby respectfully request permission to attend a court approved traffic violator school. I declare under penalty of perjury that this statement is true and correct. The above trial by written declaration sample is just a basic demonstration. Please note that there is no discussion of technical analysis that would question the validity of the enforcement method and other relevant issues that could impact the outcome. The reason that the sample does not include other arguments is due to the fact that there are many variables that would have to be looked at in detail to draft a viable defense statement. If you have a speeding ticket and if you have decided to fight your ticket with a trial by written declaration we can help prepare all your documents for you. All you need to do is to sign up for our service and let us start working on your documents. Violation code Fine Amount DMV Point 22349 (a) or (b), 22350, 22356 b Speeding 1-15 MPH Over 65 MPH Limit \$238.00 1 22349 (a) or (b), 22350, 22356 b Speeding 16-25 MPH Over 65 MPH Limit \$367.00 1 22349 (a) or (b), 22350, 22356 b Speeding = 26 MPH Over 65 MPH Limit \$490.00 1 Trial By Written Declaration as seen on

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