

## **LOCAL RULES OF THE GRANITE SHOALS MUNICIPAL COURT OF RECORD**

**IT IS ORDERED** that the following Local Rules of the Granite Shoals Municipal Court of Record shall apply to all cases and proceedings the Court:

### **1. Attire at all Court Proceedings.**

The following attire is unacceptable for appearing in court:

- A. Swimsuits, shorts and cut-offs;
- B. Muscle shirts or shirts without sleeves;
- C. Clothing with offensive, vulgar, racist, sexist, obscene, or suggestive words, slogans, depictions, or pictures, including grotesque creatures;
- D. Clothing that is dirty, torn, or ragged;
- E. Clothing that is too tight or too short, or immodest; or
- F. Hats, bandanas, and sunglasses (excluding religious headwear).

All attorneys and Pro Se defendants appearing in Court shall dress in appropriate business attire.

### **2. Pro Se Parties.**

Defendants have a right to retain their own lawyers in any case before the Court. Because matters before the Granite Shoals Municipal Court of Record are Class C misdemeanors or civil cases involving city code enforcement matters, Defendants are not subject to penalties that involve imprisonment or jail time, unless a Defendant fails to appear or violates another promise to the Court, such as a promise to pay a fine, court cost, or other fee. Therefore, the Court will not appoint a lawyer to represent a Defendant if the Defendant cannot afford one.

Pro Se parties (individuals representing themselves without an attorney) should be prepared to present their cases in a proper manner. Neither the Court nor its Staff can protect or represent you, or instruct you on court procedures, evidence, rules, or how to present and prove your case. If you are unprepared, unaware, or ignorant of the means and methods of presenting your case, it may adversely affect your case.

### **3. Appearance, Continuance, Motions, and Conduct at All Court Proceedings.**

The following rules apply to all court proceedings at the Granite Shoals Municipal Court of Record, located in the Granite Shoals City Hall, 2221 N. Phillips Ranch Road, Granite Shoals, TX 78654.

- A. Attendance Required. If you have a conflict with a hearing date or time and have good cause to request a continuance (postponement) of your hearing, you must request the continuance at least 72 hours prior to any scheduled hearing or no later than 10-days before any trial, unless a bona fide emergency exists that prevents a party or lawyer

from appearing, in which case, the request should be made as soon as practicable. Requests to continue initial appearances, status and similar hearings may be made by calling or emailing the court clerk, but requests to continue a scheduled pre-trial hearing or trial date first must be made in a sworn Motion for Continuance, along with an order for the judge to sign. The party requesting the continuance must contact the Court Clerk to ascertain if the request or motion for continuance has been granted or denied. A form for the sworn Motion for Continuance and Order is set forth in the Appendix to these rules.

The following requirements apply to all motions, whether for a continuance, or otherwise:

1. Motions may be filed by mail, hand delivery, or email to [court@graniteshoals.org](mailto:court@graniteshoals.org), and shall be also served on the opposing party at the same time by one of those methods;
  2. A party shall contact the Court Clerk, by email, phone or in person, to ensure that the motion has been received
  3. All motions shall include an order for the judge to sign;
  4. All motions must be printed in a Times New Roman font of at least 12-points or legibly hand-printed, and shall include, at the top of the page, the case number (e.g., "Case No. \_\_\_\_\_") and the caption (e.g., "State of Texas v. John Doe").
- B. Appear on Time. If you fail to appear, or appear late, you risk the issuance of a warrant for your arrest
- C. Rules of Conduct.
1. By entering the courtroom or City Hall, which houses the Court, you consent to searches of your person and property in your possession, and no probable cause is required for the search.
  2. Weapons and firearms, except by law enforcement or as allowed by the Court for presentation or as evidence, are prohibited in the courtroom and City Hall, which houses the Court.
  3. Do not bring food or drink into the courtroom.
  4. Do not take photos or record audio or videos in the courtroom.
  5. Do not read newspapers, magazines, books, etc. or use electronic devices or cell phones in the courtroom during proceedings (unless an electronic device is necessary to accommodate a disability or is required to present evidence to the Court).
  6. Mute all phones and pagers while in the courtroom. No texting is allowed and no phone calls may be made or accepted in the courtroom. Devices used in violation of this order may be impounded by the Court until after the proceeding.

7. Once a party is in the courtroom and making an appearance in a case, the party shall not leave the courtroom unless they obtain permission from the bailiff or the judge.
8. Do not disturb or distract the Court, counsel, witnesses, and other court personnel. Children must not create a disturbance or be kept out of the courtroom.
9. Rise when the Judge or Jury enters the courtroom and remain standing until the Judge or Bailiff announces, “Be seated”, or until the Judge is seated. Rise when the Judge or jury exits the courtroom.
10. Do not approach the Judge’s bench or Clerk’s desk without permission from the Court.
11. Leave all purses, bags, brief cases, etc. at the counsel table when you are called to the Judge’s bench.
12. Have all paperwork and documents (i.e., driver’s license, insurance, evidence, etc.) ready when called to approach the Judge’s bench.
13. Do not rest your arms or hands on the Judge’s bench.
14. Address the Court as “Judge” or “Your Honor”.
15. Address opposing parties, counsel, witnesses, and Court Officers as “Mr.”, “Mrs.”, “Miss”, “Officer”, etc. Do not use first names, except with children 14 years of age or younger or unless otherwise instructed by the Court.
16. Do not talk at the same time as the Court, counsel, witnesses, or other court personnel.
17. Racist, sexist, obscene, or profane language or gestures are prohibited unless it is pertinent to a case and is elicited and quoted from facts in the case.
18. Do not argue with the Court, opposing counsel, or witnesses.

#### **4. Discovery Requests**

A Defendant’s request for discovery to the Prosecutor shall be in writing and shall also be filed with the Court. The Prosecutor shall produce to the Defendant pursuant to Art. 39.14(d), Texas Code of Criminal Procedure, and without the Defendant securing a court order, any and all evidence material to any matter involved in the case that is in the possession, custody, or control of the state or any person under a state contract. The Prosecutor shall provide a written inventory list of all discovery items produced to the defendant to the Court.

#### **5. Pre-Trial Hearings**

All cases that will go to trial will be scheduled for a mandatory pre-trial hearing on a date in advance of the trial. The Defendant, Defendant’s counsel, if any, and the Prosecutor must appear

in person at the pretrial hearing, which will consider all matters under and in accordance with Art. 28.01, Texas Code of Criminal Procedure. All matters that either party wishes the Court to consider at the Pre-Trial Hearing shall be filed with the Court and served on the opposing party no later than 7 days prior to the hearing, unless good cause is shown to and agreed by the Court. Failure of a party to bring matters set forth in Art. 28.01 to the Court at the Pre-Trial Hearing will constitute a waiver of that matter.

## **6. Trials**

Criminal misdemeanor trials, which include most of the Court's docket, will be conducted in accordance with Chapter 30 of the Texas Government Code, the Texas Code of Criminal Procedure and Texas Rules of Evidence (Criminal). Civil trials involving some cases of violations of the city code will follow the Texas Rules of Civil Procedure, the Texas Rules of Evidence (Civil), and other law, including provisions of the Texas Health and Safety Code and Texas Local Government Code. In jury trials, jury charges that the prosecution and defendant wish the Court to consider shall be presented to the Court and the other party at the start of the trial, before jury selection.

## **7. Appeals**

Appeals from the Granite Shoals Municipal Court of Record are governed by Section 30.00014, Texas Government Code.

## **8. Publication and Acknowledgement of these Rules.**

These rules shall be submitted to the Texas Office of Court Administration for posting, shall be posted on the City of Granite Shoals website in the Court's section of the website, shall be made available to any person upon request, and shall be provided to all defendants and their counsel if a defendant has requested a trial of their case. Defendants and their counsel shall acknowledge their receipt of and agreement to abide by these rules when they are provided.

**VIOLATION OF ANY OF THESE RULES COULD RESULT IN A CHARGE OF CONTEMPT OF COURT WHICH IS PUNISHABLE BY A FINE OF \$100 AND UP TO 3 DAYS IN JAIL, OR BOTH.**

This order supersedes the Court's Order pertaining to Rules of Attire and Conduct dated July 5, 2017.

SIGNED AND ENTERED on this the 3<sup>rd</sup> day of July 2024.



Frank Reilly  
Municipal Court Judge

Case No. \_\_\_\_\_

STATE OF TEXAS § MUNICIPAL COURT OF RECORD  
vs. § IN  
\_\_\_\_\_ (defendant) § GRANITE SHOALS, TEXAS

Motion for Continuance for Trial or Pretrial Hearing

Name of Defendant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Citation or Case #: \_\_\_\_\_ Offense: \_\_\_\_\_

I request a reset of my scheduled  Pre-Trial Hearing  Trial Date  Other Court Date  
(specify)\_\_\_\_\_. My current court date is  
\_\_\_\_\_ and I request a new date for the following reason(s), and not for  
delay only:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Defendant's Signature

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
personally appeared \_\_\_\_\_ (Defendant's name), who upon oath stated  
that the statements in the foregoing Motion for Continuance are true and correct under penalty of  
law, to certify which witness my hand and official seal of office.

\_\_\_\_\_  
Notary Public or Clerk of the Court

ORDER

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court considered the Defendant's Motion  
for Continuance, and the motion is  DENIED or  GRANTED and the date of the hearing or  
trial is reset to \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_.M.

\_\_\_\_\_  
Judge Presiding