



**CASE FLOW
within TEXAS
CRIMINAL COURTS**

ALLEGED CRIME COMMITTED

Occurred in the presence of Law Enforcement

Victim/Witness reports it to Law Enforcement

Investigation by Law Enforcement

ARREST
upon Law Enforcement finding **Probable Cause** that crime was committed

NO ARREST

Law Enforcement sends **Investigative Report (Case)** to County District Attorney

MAGISTRATED
Accused Admonished as to charges on which he/she was arrested

Case Reviewed by
County District Attorney

County District Attorney requests additional investigation

Case Rejected by
County District Attorney
(CASE CLOSED)

Case Accepted by
County District Attorney

FELONY
County District Attorney presents case to an Aransas County Grand Jury (Secret Proceedings)

MISDEMEANOR
County District Attorney files criminal case in County **Court at Law**

PASS
Grand Jury passes the case back to CDA with request for additional information

TRUE BILL OF INDICTMENT
Grand Jury believes sufficient evidence exists for a return of indictment

NO BILL OF INDICTMENT
Grand Jury does not believe sufficient evidence exist for felony indictment
(CASE CLOSED)

CDA usually provides plea bargain offer to defendant prior to pre-trial

ARRAIGNMENT
Judge admonishes Defendant of the Formal Legal Accusations brought against him/her

Felony Indictment filed in District Court

DEFENDANT PLEADS GUILTY

PRE-TRIAL
Court hears evidentiary, non-evidentiary, and other legal matters between State and Defense

DEFENDANT PLEADS NOT-GUILTY

TRIAL BY JURY OR JUDGE
Judge or Jury hears and sees the evidence; County District Attorney shoulders burden of proving case beyond a reasonable doubt

SENTENCING TRIAL BY JURY OR JUDGE
Probation
Fine – up to \$4,000 (M) \$10,000 (F)
County Jail – Misdemeanors (up to 1 year)
State Jail – S.J. Felonies (up to 2 years)
TDC – 3rd, 2nd, 1st Capital Felonies (2-99 or Life)

GUILTY VERDICT

NOT-GUILTY VERDICT (ACQUITTAL)

APPEAL
TX 13th Court of Appeals
TX Court of Criminal Appeals
U.S. Supreme Court
an appeal can be affirmed, reversed & remanded, or reversed & remanded (new trial)