

CAUSE NO. _____

**7. ADDITIONAL ADMONISHMENTS
FOR DEFERRED ADJUDICATION COMMUNITY SUPERVISION**

In the event adjudication is deferred, and in the further event a condition of community supervision is violated, the defendant may be arrested and detained. The defendant is entitled to a hearing limited to the determination by the Court of whether it proceeds with an adjudication of guilt on the original charge. This determination is reviewable in the same manner as a revocation hearing in a case in which an adjudication of guilt had not been deferred. After an adjudication of guilt, all proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision, and defendant's appeal continue as if the adjudication of guilt had not been deferred. Upon adjudication of guilt, the Court may select any punishment authorized for the offense. The defendant may file a written motion requesting final adjudication within 30 days after entering his/her plea and the deferment of adjudication; and, in such event, the judge shall proceed to final adjudication as in all other cases.

The defendant is informed that a defendant is eligible to petition the Court for an order of nondisclosure under Government Code §411.081 on or after ***FIVE years (for a felony)** from the date an order of discharge and dismissal in this cause, if any, is signed:

ONLY IF during the period of the deferred adjudication community supervision in this cause and during the ***FIVE years (for a felony)** from the date an order of discharge and dismissal in this cause, if any, is signed, the defendant is **not convicted of or placed on deferred adjudication community supervision for any offense** other than an offense under the Transportation Code punishable by fine only; and

ONLY IF the defendant was not placed on the deferred adjudication community supervision or has not previously been convicted or placed on deferred adjudication community supervision for any of the following offenses - Penal Code §§19.02 (Murder), 19.03 (Capital Murder), 20.04 (Aggravated Kidnapping), 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual), 22.041 (Abandoning or Endangering Child), 25.07 (Violation of Certain Court Orders or Conditions of Bond in a Family Violence Case), 42.072 (Stalking), any offense requiring Code of Criminal Procedure Chapter 62 sex offender registration, or any other offense involving "family violence" (as defined in Family Code §71.004).

[* - TWO years if misdemeanor under Penal Code Chapters 20, 21, 22, 25, 42, or 46; other misdemeanors, no additional period]