

**COURT STANDING ORDER**  
**Traffic Standing Order**  
**Traffic Standing Order No. 3**

**Capias Pro Fine Recall**

**IT IS ORDERED** that if a defendant fails to satisfy a criminal judgment according to its terms, the Court Clerk shall issue a capias pro fine, as defined by Article 43.015 (Texas Code of Criminal Procedure), for the defendant's arrest.

1. The capias pro fine shall state the amount of the judgment and sentence, and command the appropriate peace officer to bring the defendant before the court immediately; or
2. Place the defendant in jail until the business day following the date of the defendant's arrest if the defendant cannot be brought before the court immediately.
3. "Capias pro fine" means a writ that is:
  - (A) issued by a court having jurisdiction of a case after judgment and sentence for unpaid fines and cost; and
  - (B) directed "To any peace officer of the State of Texas" and commanding the officer to arrest a person convicted of an offense and bring the arrested person before that court immediately.
  - (C) defendant must appear before the Judge who issued the capias pro fine, no other Judge has jurisdiction.
  - (D) capias pro fine is for "money only."
4. Capias pro fine warrants shall not be recalled except upon arrest of defendant and /or defendant voluntarily comes before the court and satisfies the judgment by paying the judgment fine, or Judge orders:
  - (A) defendant to sit out fine/cost in jail (Article 45.046 TCCP or;
  - (B) defendant to perform community service (Article 45.049) or;
  - (C) waives requirement that defendant pay fine/cost (Article 45.491).

**OMNI Recall/Removal**

**IT IS ORDERED** that the Court Clerk shall not recall (judgment) for fines and cost from OMNI until the criminal judgment is satisfied according to terms and total fine and cost have been paid; or Judge orders:

- (A) defendant to sit out fine/cost in jail;
- (B) defendant to perform community service
- (C) waives requirement that defendant pay fine/cost.

**SO ORDERED**, this the 12<sup>th</sup> day of March, 2013.

/s/ Billy S. Ball  
BILLY S. BALL Judge Presiding