



JUDGE KIRK D. NOAKER, SR.

Burnet County Magistrate
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COURT INFORMATION

1st, 2nd, 3rd Degree and State Jail Felony(s)

TYPES OF FELONY(S):

Capital Felony - In Texas, capital felonies are punishable by death or life without parole. Murder is an example of a capital felony. If the defendant was a juvenile at the time the crime was committed and the prosecutor chooses not to seek the death penalty, then a capital felony is punishable by life imprisonment. (Tex. Penal Code Ann. § 12.31.)

First Degree Felony - A conviction for a first degree felony can result in life imprisonment or five to 99 years' imprisonment, as well as a fine of up to \$10,000. Sexual assault against a child is a first degree felony in Texas. (Tex. Penal Code Ann. § 12.32.) For more information on sex crimes and penalties in Texas, see Texas Sexual Battery Laws.

Second Degree Felony - Under Texas law, second degree felonies are punishable by two to 20 years in prison, and a fine of up to \$10,000. Causing serious injury to a family member is a second degree felony. (Tex. Penal Code Ann. § 12.33.) For more information on domestic abuse, see Texas Domestic Violence Laws.

Third Degree Felony - A third degree felony is punishable by two to ten years' imprisonment and a fine of up to \$10,000. For example, possession of five to 50 pounds of marijuana is a third degree felony. (Tex. Penal Code Ann. § 12.34.) For more information on crimes involving marijuana, see Texas Marijuana Laws.

State Jail Felony - In Texas, state jail felonies are punishable by 180 days to two years in state jail and a fine of up to \$10,000. If lawmakers identify a crime as a felony but fail to designate it as a particular kind of felony or set a specific sentence, then the felony is a state jail felony. A judge must punish a defendant convicted of a state jail felony to a third degree felony term if:

- the defendant used or exhibited a deadly weapon in the commission of the crime, or
- the defendant has previously been convicted of a felony.
- (Tex. Penal Code Ann. §§ 12.04, 12.35.)

For example, a conviction for theft is a state jail felony if the thing stolen is:

- a firearm
- livestock worth up to \$20,000, or
- property (other than livestock) worth between \$1,500 and \$20,000.

Change of Address

- Your court notices will be mailed to you. The last address known during the booking process will be the address the court uses. If you change your residence and/or mailing address – you SHOULD inform the court at 512-715-5203 as quickly as possible

Court Date

- Your court notices will be mailed to you. You may however, view the Burnet County website to see docket information at: www.burnetcountytexas.org (*User: Visitor Password: Visitor*)
- You may telephone the Burnet County Attorney's Office at 512-756-5476 for docket information

Mental Health Needs

- Contact the Bluebonnet Trails 24 hour crisis hotline at 800-841-1255. Bluebonnet's mailing address is: 4606 Innovation Loop, Marble Falls, TX 78654 and their main telephone number is 830-798-2902