

WHAT TO DO — EMERGENCY REFERENCE

What to Do After a Texas Drug Arrest

Texas drug possession charges under the Health and Safety Code are highly defensible — most cases turn on the legality of the search. The Fourth Amendment is your most powerful tool.

CALL AN ATTORNEY IMMEDIATELY — (214) 466-1398

A licensed attorney answers 24/7. Do NOT discuss your case with anyone except your lawyer. Statements to police, cellmates, friends, or family can be used against you.

Do This Now

1. Remain silent — do not explain, apologize, or negotiate. Just say "I want a lawyer."
2. Never consent to a search of your phone, car, home, or person.
3. If searched without consent or warrant, note every detail — who was present, what was said, what officers did.
4. Preserve any receipts, prescriptions, or records explaining legitimate possession.
5. Identify any witnesses to the search and get their contact info.
6. Request copies of search warrants, consent forms, and any audio/video recordings.
7. Do not touch, move, or dispose of anything related to the case.
8. Contact L and L Law Group at (214) 466-1398 immediately.

Avoid These Common Mistakes

- Do NOT discuss the source of the drugs with anyone except your attorney.
- Do NOT speak to cooperators, confidential informants, or federal agents without counsel.
- Do NOT consent to post-arrest "interviews" that promise leniency — they rarely deliver.
- Do NOT assume small amounts are "not a big deal" — any amount of cocaine/meth/fentanyl is a felony in Texas.
- Do NOT ignore federal target letters — respond only through counsel.

Key Texas Law You Should Know

Texas Health & Safety Code § 481.115 (Penalty Group 1)

Cocaine, heroin, methamphetamine, oxycodone: under 1g = state jail felony; 4-200g = second-degree felony; 400g+ = 10-99 years.

Texas Health & Safety Code § 481.1122 (Penalty Group 1-B)

Fentanyl: any amount under 1g is a third-degree felony (2-10 years TDCJ).

Texas Health & Safety Code § 481.121 (Marijuana)

Under 2 oz = Class B misdemeanor; 4 oz-5 lb = state jail felony.

Texas Code of Criminal Procedure art. 38.23 (Exclusionary Rule)

Evidence obtained in violation of the Constitution is inadmissible at trial — the basis for most drug-case dismissals.

Drug-Free Zone Enhancement (§ 481.134)

Within 1,000 ft of schools/playgrounds/youth centers = one degree enhancement.

Possible Outcomes

- Dismissal through motion to suppress (Fourth Amendment violation)
- Pre-trial diversion for first-time possession offenders in Collin County
- Reduction from PWID to simple possession
- Acquittal at trial
- Probation with drug court / treatment alternatives
- Deferred adjudication followed by non-disclosure order

CRITICAL DEADLINES

Pre-indictment grand jury window: act fast with defense package | 45-day federal speedy trial clock if charged federally | Timely suppression motion filing per court schedule

Questions to Bring to Your Consultation

- Can the search be challenged under the Fourth Amendment?
- Is my case eligible for pre-trial diversion or drug court?
- Could this be charged federally? What triggers that?
- What are the affirmative-links challenges available to my case?
- Will the lab actually test this, and how long does it take?
- What sentence range am I realistically facing?
- Will this affect my immigration status?

FREE CONSULTATION — AVAILABLE 24/7

Call (214) 466-1398 or visit [friscocriminalattorneys.com/contact.html](https://www.friscocriminalattorneys.com/contact.html). A licensed attorney answers day or night. Flat-fee pricing with payment plans available.