

Not Guilty Verdict Secured in Driving While Intoxicated-Open Alcoholic Container Case

David Smith, Board-Certified Criminal Attorney, Secures Swift Acquittal After Jury Deliberates Less Than 30-minutes*

HOUSTON, TX, UNITED STATES, February 24, 2025 /EINPresswire.com/ -- In a decisive victory for justice, the [David Smith](#) Law Firm, PLLC has secured a Not Guilty verdict in the matter of Driving While Intoxicated-Open Alcoholic Container (Cause No. 23-378150), a rare occurrence in Montgomery County, TX, jury trials. This verdict underscores the law firm's commitment to ensuring every client receives a fair trial and that constitutional rights are safeguarded throughout the legal process.

Strategic Legal Defense Leads to Victory

The client faced serious criminal charges stemming from a traffic stop in which law enforcement relied heavily on Standardized Field Sobriety Tests (SFSTs). Attorneys David Smith and Savannah Luna, Associate Attorney with Tyler Flood and Associates, Inc., meticulously challenged the administration and reliability of these tests—particularly the Horizontal Gaze Nystagmus (HGN) test, the Walk-and-Turn, and the One-Leg Stand—ultimately revealing significant flaws in the officer's investigation.

During cross-examination, David Smith secured a crucial admission from the arresting officer that he did not administer the HGN test according to National Highway Traffic Safety Administration protocols, and that it would therefore be unfair to use the results against the client. Savannah Luna further cast doubt on the validity of the Walk-and-Turn and One-Leg-Stand tests, as well as the traffic stop itself by questioning whether the client's lane change was unsafe. This raised a factual dispute, allowing the defense to successfully argue for a Texas Code of Criminal Procedure Article 38.23 jury instruction, which allows the jury to consider that evidence obtained unlawfully must be disregarded.

Swift Jury Deliberation

After hearing all evidence and arguments, the jury—composed of five women and one man—deliberated for approximately 30 minutes before delivering the Not Guilty verdict. Such a short deliberation highlights the strength of the defense and the jury's recognition of the officer's mistakes.

“This verdict demonstrates that our justice system works when the facts are presented honestly and constitutional safeguards are protected,” said David Smith of the David Smith Law Firm, PLLC. “Police officers have a critical responsibility; if they make errors in administering tests and gathering evidence, those mistakes shouldn’t ruin someone’s life and label that person a criminal.”

Following David Smith’s recent in-trial dismissal featured in the Associated Press for a client facing 180 days of confinement for a DWI based on unconstitutionally-collected evidence, Joel Geddis, Founder & CEO of [ReferU.AI](#), echoes his past praise of Board-Certified* Criminal Law Specialist, David Smith for securing this pivotal win.

“Our partnership with David Smith thrives on our shared commitment to client success. Unfortunately, sometimes the innocent can face wrongful convictions when flawed evidence and police mistakes go unchecked—but not in this case. David Smith’s successful track record as a criminal defense attorney underscores his thorough legal acumen and unwavering advocacy.”

Commitment to Justice

This case highlights the critical role of thorough legal preparation, strategic cross-examination, and an unwavering dedication to protecting the rights of the accused.

“Justice is rarely given—it’s won. At David Smith Law Firm, PLLC, we are proud to fight for it every day.”

If you or a loved one is facing criminal charges, David Smith, owner of the David Smith Law Firm, PLLC is *Board-Certified, Criminal Law – Texas Board of Legal Specialization and provides skilled representation and a commitment to safeguarding your constitutional rights.

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