

NO. _____

THE STATE OF TEXAS

§

THE COUNTY COURT AT LAW

VS.

§

OF

§

McLENNAN COUNTY, TEXAS

WAIVER OF JURY TRIAL AND OTHER RIGHTS, ACKNOWLEDGMENTS AND PLEA

(Guilty or Nolo Contendere)

I, the Defendant, in person, and in open court, after full consultation with, and with the consent and approval of my attorney, freely and voluntarily enter my plea and make the waivers, requests, acknowledgments and stipulations contained in this document and in the Disclosure of Plea Agreement.

I am the person charged in this Information, I am mentally competent, I understand the charge(s) against me. and my true name is correctly alleged in the Information, unless I have submitted a written name correction. I understand I can plead guilty, not guilty or nolo contendere ("no contest"). I understand the minimum and maximum punishment possible in this case.

Citizenship: Are you a U. S. citizen? Yes No *[If "no," Acknowledgment by Non - U.S. Citizen is REQUIRED]*

Defendant's Waivers: I understand I have the following rights: 1) to remain silent, 2) to have these proceedings recorded by a court reporter; 3) if I am represented by court-appointed counsel, to ten days to prepare for trial following my attorney's appointment, 4) to a jury trial on any plea I enter, 5) to confront and cross-examine the witnesses against me, 6) to a pre-sentence investigation or risk and needs assessment. I waive each of those rights. I ask the Court to receive my plea herein and to assess my punishment without a jury. I agree that the State's attorney may summarize the State's evidence in this cause and may submit any supporting documents. I agree and stipulate that, if the witnesses were personally present and testifying under oath, their testimony would be the same as reflected by the State's summary of evidence and documentary evidence. I consent to and persist in any other stipulations and waivers I have approved in writing and filed with the Court.

Plea: I hereby enter the following plea to the charge(s) in the Information: Guilty Nolo Contendere. *[nolo contendere only by agreement]*

I understand that no plea agreement is binding on the Court, and that **if the punishment assessed by the Court does not exceed the punishment recommended by the prosecutor and agreed to by me, I cannot appeal without the Court's permission, except on matters raised by written motion filed and ruled on prior to trial.**

Ancillary Documents Required

Is family violence alleged? Yes No Waived *[If "yes," Family Violence Acknowledgment is REQUIRED]*
Are you requesting any form of community supervision? Yes No *[If "yes," Community Supervision Notices is REQUIRED]*
Are you currently serving in a state or US armed service, on active duty? Yes No *[If "yes," Certificate of Military Service is REQUIRED]*

I have read this document, it has been explained to me, and I understand the consequences of my plea. I still insist upon my plea above.

Date: _____ **Defendant's signature:** _____

I have consulted with and advised my client concerning the charges and my client's rights, including the plea entered and its consequences. I believe my client is competent and fully understands the admonishments and the consequences of his/her plea. I approve all waivers, acknowledgments, requests and stipulations made herein.

Date: _____ Attorney for Defendant: _____
State Bar Number: _____

APPROVED: _____ Assistant Criminal District Attorney: _____
State Bar Number: _____

The Court finds that the Defendant 1) is mentally competent, 2) understands the nature of the charge(s), 3) has been duly admonished regarding and understands the consequences of the waivers, requests and acknowledgments herein, and 4) persists in Defendant's waivers, requests and plea. The Court, therefore, approves and accepts the written waivers, requests, acknowledgments and plea made herein.

Date: _____ Judge Presiding: _____