

GUILTY / NOLO CONTENDERE PLEA

Print Name: _____
Last First Middle Initial

The Defendant in this case being duly sworn, state as follows:

I am not under the influence of alcohol or drugs and I am not suffering from any mental or physical disability which would prevent my understanding the consequences of my plea.

I have been advised of and understand: **(Initial in each line)**

- _____ The nature of the charge(s) against me
- _____ The maximum and minimum punishment provided by law and that the maximum sentence may be as high as a \$1000 fine and/or 12 months in jail on each charge.

Certain traffic offenses (aggressive driving, etc.) may have fines as high as \$5000. Mandatory surcharges are added to all fines

I understand that by entering a plea of guilty or nolo contendere (no contest) I waive:

- _____ My right to be presumed innocent
- _____ My right to a trial
- _____ My right to confront and cross-examine witnesses
- _____ My right to testify and offer evidence on my behalf
- _____ My right to subpoena witnesses
- _____ My right to counsel during trial
- _____ My right to remain silent, and not testify, and I understand that if I remain silent and do not enter a plea, I will receive a trial
- _____ My right to be represented by a private attorney or by a public defender
- _____ My right to a trial by jury

I understand that if I enter a plea of guilty or nolo contendere in this case, there will be no further trial or hearing and a fine or jail sentence or both may be imposed.

I understand that if I am **NOT** a citizen of the United States, a plea of guilty may have an impact on my immigration status.

I now desire to enter my plea. It is free and voluntary. I have not been told what sentence will be imposed. No promises or threats have been made to me by any prosecutor, lawyer, police officer, or other person, to induce me to enter this plea.

I hereby plead _____

Defendant's Signature

Defendant's Attorney

I have satisfied myself that this Defendant's is free and voluntary and that he/she is in possession of his/her faculties and he/she is able to understand the nature and consequences of this plea. The court is further satisfied that there is sufficient factual basis for the acceptance of this plea, and that the defendant understands the consequences of his/her plea.

Date

Solicitor

Judge, Municipal Court of Fayetteville

NOT GUILTY PLEA

Print Name: _____
Last First Middle Initial

I am not under the influence of alcohol or drugs and I am not suffering from any mental or physical disability which would prevent me from understanding the consequences of my plea. I also understand the nature of the charge(s) against me as well as the maximum punishment provided by law (including the possibility of jail/incarceration). I further understand that I have the right to have a lawyer represent me and I understand that if I am deemed indigent the Court will appoint one for me. I also understand that I may choose to represent myself.

I understand that if I represent myself I will be held to the same legal rules to which a lawyer would be held. I understand that a lawyer has been trained in the rules of law and that if I represent myself I may not understand the rules used in court. I understand that there may be possible defenses that a lawyer may know how to raise, such as possible defects in the citations or accusation, misidentification, alibi, or the reliance on the presumption of innocence. I understand that if I proceed without a lawyer, I may encounter situations that I may not know how to handle properly (e.g., how to call witnesses to testify and how to question or cross-examine witnesses). I further understand that if I represent myself, I may not know how to properly preserve the court record for an appeal. I understand that I am not required to testify in a criminal case. However, if I decide to testify, I understand that the decision to testify must be made by me. I further understand that the minimum sentence allowed by law in my case, and that the maximum sentence, may be as high as \$1000 and/or 12 months in jail on each charge. Certain traffic offenses that are high in aggravating (e.g., aggressive driving, etc.) may have fines as high as \$5000. Mandatory State surcharges are added to all fines. I also understand that on certain State traffic offenses I have the right to a trial by jury in the Fayette County State Court.

I know and understand the dangers of proceeding to trial without lawyer.

How do you plead? _____

Do you want a lawyer? _____

Do you want a jury trial in a higher court or do you give up your right to a jury trial in favor of a bench trial by a Judge in this court? (Initial one)

_____ (Jury) Trial in State Court _____ (Bench) Trial by a Judge in this Court

Defendant's Signature

Solicitor

Defendant's Attorney

The Court finds that the Defendant understands his/her rights and, if unrepresented by counsel, the right to counsel.

Date

Judge, City of Fayetteville Municipal Court