

IN THE CIRCUIT COURT, IN AND FOR
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff

CASE NO. _____ DIV. _____

v.

Defendant

_____ /

PLEA(S)

1. I, _____, defendant, withdraw my pleas(s) of not guilty and enter plea(s) of:

() Guilty () Nolo Contendere to _____ F.S. _____

() Guilty () Nolo Contendere to _____ F.S. _____

() Guilty () Nolo Contendere to _____ F.S. _____

2. I understand that if the Court accepts the plea(s), I give up my right to a trial, and to the following rights: (1) to have a jury determine whether I am guilty or not guilty, or a hearing before a judge if charged with violation of probation; (2) to see and hear the witnesses testify, and to have my lawyer question them for me; (3) to subpoena and present witnesses and items of evidence in my defense, and to present any defense I might have to the jury; (4) to testify or to remain silent; and (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt, or to the satisfaction of the Court's conscience if charged with violation of probation, before I can be found guilty. I further understand that I give up my right to appeal all matters except the legality of my sentence or this Court's authority to hear this case. My lawyer has explained to me what an appeal is.

3. I understand that a plea of not guilty denies that I committed the crime(s), a plea of guilty admits that I committed the crime(s), and a plea of nolo contendere says that I do not contest the evidence against me. I understand that if the Court accepts my plea(s) there will be no trial and the Court will impose sentence(s) based upon my plea(s).

4. I have read the information/indictment/warrant in this case and I understand the charge(s) to which I enter my plea(s). My lawyer has explained to me the maximum penalty for the charge(s), the essential elements of the crime(s), and possible defenses to the crime(s). I understand these things. I also understand that if I am on parole, my parole can be revoked and I can be returned to prison to complete that sentence; if I am on probation, my probation can be revoked and I can receive a separate sentence up to the maximum on the probation charge in addition to the sentence imposed in the present case(s). I understand that if I am not a citizen of the United States, I may be deported.

5. No one has promised me anything to get me to enter the plea(s) except as stated herein. The prosecutor has recommended the following:

The Judge has promised: _____

I understand the maximum penalties for the charge(s) to be _____ plus maximum fine(s) of _____ plus costs up to \$500 and restitution, if applicable.

6. I understand that, in addition to the terms in Paragraph 5, I might also be placed on probation and be required to pay \$50 per month for costs of supervision.

7. No one has pressured or forced me to enter the plea(s). I am entering the plea(s) because

() I believe I am guilty. () I believe it is in my own best interest. I enter the plea(s) voluntarily of my own free will.

8. I give up my right to have the prosecutor recite to the Court the facts showing my guilt before acceptance of the plea(s).

9. I understand my sentence will be imposed under the Sentencing Guidelines. A guideline cell will be determined based upon my prior record which I have truthfully disclosed to my attorney. I understand that I will not be permitted to withdraw my plea(s) if the correct guideline cell is other than what is presumed at this time. The court can exceed this guideline cell and impose up to the maximum term of incarceration and maximum fine for each offense by stating reasons supported by a preponderance of the evidence. If the Sentencing Guideline is exceeded I will have the right to appeal my sentence.

10. I understand that if I have two or more prior felonies I may receive a sentence of double the time in Paragraph 5, of a life sentence if the maximum is 30 years, in addition to the fine(s).

11. I understand and agree that if the Court permits me to remain at liberty pending sentencing I must notify my lawyer and bondsman or Pre-Trial Release officer of any change of my address or telephone number, and if the Court orders a Pre-Sentence investigation (PSI) and I willfully fail to appear for an appointment with the probation officer for the PSI interview, the Court can revoke my release and place me in jail until the PSI interview has been completed or until my sentencing.

12. I am not under the influence of any drug, medication, or alcohol and I am not suffering from any physical or mental problems at this time which affect my understanding of this plea(s). My education consists of the following:

13. I have read every word in this written plea, have discussed it with my lawyer, and fully understand it. I am fully satisfied with the way my lawyer has handled this case for me. He has done everything I have asked him to do.

SWORN TO, SIGNED AND FILED IN OPEN COURT in the presence of Defense Counsel and Judge
this _____ day of _____ 19_____.

LYDIA GARDNER, Clerk of the
Circuit Court and County Court

Defendant's Signature

By _____
Deputy Clerk in Attendance

Address _____

Telephone _____

Social Security No. _____

CERTIFICATE OF DEFENDANT'S ATTORNEY AND PROSECUTOR

I, Defendant's Counsel of Record, certify that: I have discussed this case with defendant, including the nature of the charges, essential elements of each, the evidence against him/her of which I am aware, the possible defense he/she has, the maximum penalty for the charge(s) and the right to appeal. No promises have been made other than as set forth in this plea or on the record. I believe the defendant fully understands this written plea, the consequences of entering it, and that the plea is entered of the defendant's own free will.

I, the Prosecutor, consent to the plea(s) to lesser charges, if applicable, and confirm the representations in Paragraph 5.

Defendant's Attorney

Assistant State Attorney