

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

CASE NO: CR _____
DIVISION _____

v.

Defendant.

_____ /

VIOLATION OF PROBATION/COMMUNITY CONTROL PLEA

1. I, _____, defendant herein, withdraw my previously entered denial and enter an admission/a no contest plea to the charge of Violation of Probation/Community Control in the above styled case.

2. I understand that if the Court accepts this plea, I give up my right to an evidentiary hearing, the right to require the State to prove by evidence the violation, the right to have the Judge decide whether I violated my probation/community control, the right to see and hear the witnesses against me and to have my lawyer question them, the right to subpoena and present witnesses or other evidence or any defenses I may have and to testify or remain silent as I choose. I further understand that I give up my right to appeal the facts of the case. My lawyer has explained to me what an appeal is.

3. I understand that this admission/plea of no contest allows the court to make a finding that I violated my probation/community control, and further means there will be no evidentiary hearing and I will be sentenced based upon this plea.

4. I understand the charge which has been placed against me and to which I am pleading. My lawyer has explained the maximum penalty to me as well as the nature of the violation alleged and any defenses I may have. I am satisfied with my lawyer's advise and help.

5. No one has pressured me or forced me to enter this admission/no contest plea. No one has promised me anything to get me to enter this admission/no contest plea, but there has been an understanding that:

- a. () No dispositional understanding.
- b. () The State recommends the following disposition _____

- c. () The Court has agreed to the following disposition: _____
_____.

6. I agree to restitution in the amount of \$ _____.

7. If this is a pre-guidelines case, I () wish () do not wish to be sentenced under the Sentencing Guidelines.

8. I am entering this admission/no contest plea because I believe it is in my best interest and it is what I wish to do of my own free will.

9. I agree that the Judge may find a factual basis for this admission/no contest plea based upon the Affidavit filed by my Probation/Community Control Officer.

10. My education consists of _____. I am not under the influence of any alcoholic beverage, drug or medicine at the time I sign this form. I am not suffering from any mental problem which affects my understanding of this plea.

11. I have read every word in this written plea and have discussed it with my lawyer. I understand this form fully. The form was completely filled in when I signed it. There were no blanks.

SWORN TO, SIGNED AND FILED in Open Court in the presence of my lawyer and the Judge this _____ day of _____, 19____.

LYDIA GARDNER, Clerk of the
Circuit Court and County Court

Defendant's Signature

Address: _____

Telephone: _____

Social Security No: _____

BY: _____

CERTIFICATE OF DEFENDANTS ATTORNEY AND PROSECUTOR

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

Counsel for Defendant

I, The Prosecutor, confirm the representations in Paragraph 5.

Assistant State Attorney