

STATE OF FLORIDA

Plaintiff,

CASE NO: (S) _____

vs.

Defendant.

**PLEA(S) OF GUILTY OR NOLO CONTENDERE (NO CONTEST)
WHEN REPRESENTED BY COUNSEL**

1. I, _____, the Defendant herein, wishes to:
 - enter plea(s) of:
 - withdraw my plea(s) of not guilty and enter plea(s) of:
 - Guilty Nolo Contendere to the charge(s) of _____ in case number _____.
 - Guilty Nolo Contendere to the charge(s) of _____ in case number _____.
 - Guilty Nolo Contendere to the charge(s) of _____ in case number _____.
 - Guilty Nolo Contendere to the charge(s) of _____ in case number _____.
2. I understand that a plea of Not Guilty denies that I committed the crime(s) for which I am charged; that by entering a plea of Guilty, I am admitting that I committed the crime(s) for which I am charged; and that by entering a plea of Nolo Contendere (No Contest), I am not contesting the evidence against me and that the Court can adjudge me guilty of the charge(s).
3. I understand that I have the right to plead Not Guilty to the charge(s) and to persist in that plea(s) if I have already entered a plea(s) of Not Guilty.
4. I understand that if the Court accepts my plea(s) of Guilty or Nolo Contendere (No Contest), the Court can sentence me as follows:
 - As to _____, the maximum sentence that can be imposed is _____ and the mandatory minimum is _____.
 - As to _____, the maximum sentence that can be imposed is _____ and the mandatory minimum is _____.
 - As to _____, the maximum sentence that can be imposed is _____ and the mandatory minimum is _____.
 - As to _____, the maximum sentence that can be imposed is _____ and the mandatory minimum is _____.
5. No person has promised me anything to cause me to enter the plea(s) of Guilty or Nolo Contendere (No Contest) except:
 - No exception
 - That prosecutor has agreed to: _____

6. I understand that the Court is not bound to follow any plea agreement(s) entered into by the prosecutor, my attorney, and me but the Court will allow me to withdraw my plea(s) if the Court rejects the plea agreement(s).
7. I am entering my plea(s) of Guilty or Nolo contendere (No Contest) because:
 - I admit that I am guilty of the charge(s).
 - I believe that it is in my own best interest.
8. I admit that there is a factual basis for my plea(s) of Guilty or Nolo Contendere (No Contest) and I give up my right to have the prosecutor recite to the Court the facts showing my guilt of the charge(s) before the Court accepts my plea(s).
9. No person has pressured or forced me to enter the plea(s) of Guilty or Nolo Contendere (No Contest) and I am entering the plea(s) freely and voluntarily.
10. I understand that if the Court accepts my plea(s) of Guilty or Nolo Contendere (No Contest), the Court will impose sentence(s)
11. I understand that if the Court accepts my plea(s) of Guilty or Nolo Contendere (No Contest), I will be giving up the following rights:
 - a. The right to a trial of my choice either before a judge or jury if I am charged with an offense(s) other than violation(s) of probation and the right to a trial before a judge if I am charged with violation(s) of probation.
 - b. The right during the trial to see and hear the witness(es) testify.
 - c. The right during the trial to have my lawyer question the witness(es).

- d. The right during the trial to call witnesses on my behalf and to present any other evidence in my defense of the charge(s) to the judge or jury.
- e. The right to have witnesses subpoenaed by the Court to testify during the trial on my behalf.
- f. The right to testify during the trial and have my testimony considered by the judge or jury by the same standards as other witnesses.
- g. The right to remain silent during the trial knowing that my silence will not be considered by the judge or jury.
- h. The right to require the prosecutor at the trial to prove my guilt by admissible evidence beyond and to the exclusion of every reasonable doubt if I am charged with an offense(s) other than violation(s) of probation before I can be found guilty.
- i. The right to have a judge or jury at the end of the trial to prove my guilt by admissible evidence to the satisfaction of the Court's conscience if I am charged with violation(s) of probation before I can be found guilty.
- j. The right to have a judge or jury at the end of the trial determine whether I am guilty or not guilty of the charge(s).
- k. The right to appeal to a higher Court the issue of my guilt or innocence of the charge(s), but that I can appeal the legality of the sentence(s) imposed by the Court within 30 days from the date of sentencing.
- l. The right to remain in this country if I am not a United States citizen.

12. My education consists of: _____

- 13. I am not under the influence of any drug, medication, or alcohol that would interfere with my understanding of this plea form or these court proceedings.
- 14. I have never been a patient in any hospital for mental illness and I am not suffering from any mental problems which affect my understanding of the plea(s).
- 15. I have read every word in this written plea(s) form and I fully understand it.
- 16. I have discussed with my lawyer and fully understand the nature of the charge(s) to which I am entering my plea(s), the essential elements thereof, the possible defenses to the charge(s), the possible sentences that can be imposed by the Court, my right to appeal and I am fully satisfied with the representation of my lawyer.
- 17. If I am not a citizen of the United States, I understand that the entry of a plea of no contest or guilty may cause me to be deported.

SWORN TO AND FILED in Open Court in the presence of the Defendant's attorney and the Judge this _____ day of _____, 20_____.

 Deputy Clerk in Attendance

 Defendant's Signature

CERTIFICATE OF DEFENDANT'S ATTORNEY

I, Counsel for the Defendant herein, certify that: I have discussed with the Defendant the nature of the charge(s), the essential elements thereof, any lesser included charge(s), the evidence against the Defendant of which I am aware, the possible defenses to the charge(s), the mandatory minimum penalty that can be imposed by the Court on the charge(s), and the scope and time limitations of the right to appeal. Furthermore, that no promises have been made to the Defendant by me or anyone else to the best of my knowledge except as set forth in this written plea(s) form or on the record. Therefore, I believe that the Defendant fully understands this written plea(s) form, the consequences of entering the plea(s) and that the Defendant does so freely and voluntarily.

 Counsel for Defendant

CERTIFICATION OF PROSECUTOR

- I hereby consent to the entry of plea(s) to the lesser charge(s) set forth in paragraph 5 of this plea(s) form.
- I hereby confirm that the promise(s) set forth in paragraph 5 of this plea form has been made by me.

 Assistant State Attorney

The Court determines that the plea(s) is voluntarily entered by the Defendant who appears alert and intelligent and that a factual basis exists for the plea(s).

DONE this _____ day of _____, 20_____.

 COUNTY COURT JUDGE