

Salt Lake City Justice Court

Salt Lake City , Utah

Name of defendant

Case Number

STATEMENT OF DEFENDANT ENTERING A GUILTY PLEA

NOTIFICATION OF CHARGES

I have received and read or had read to me, a copy of the Information/Citation which states the crime(s) with which I am charged. I understand the charges against me. I have no questions about what I am accused of having done.

WAIVER OF CONSTITUTIONAL RIGHTS

I understand that by entering a plea of **GUILTY** to a criminal charge, I am waiving several constitutionally protected rights, including the following: **Read and initial each section.**

_____ **COUNSEL:** I have the right to consult with and be represented by an attorney. If the judge determines that I am too poor to be able to hire a lawyer, then the judge could appoint one to represent me. I might later, if the judge determined I was able, be required to pay for the appointed lawyer's service to me.

_____ **PRIVILEGE AGAINST SELF-INCRIMINATION:** Although I can choose to testify if I wish, I cannot be forced by anyone to take the witness stand and testify or give evidence against myself. That I choose not to testify cannot be held against me in court.

_____ **CONFRONTATION & CROSS EXAMINATION OF ACCUSERS:** I have a right to see and hear in open court the witnesses to give evidence against me. If I represent myself, I have the right to ask questions of these witnesses or if I have an attorney, the attorney has the right to ask questions of these witnesses. I also have the right to have witnesses who will testify on my behalf subpoenaed or called to court at government expense.

_____ **JURY TRIAL:** I have a right to a speedy public trial before an impartial jury. Therefore, I can choose to have a jury hear the case against me. Any verdict rendered by a jury, whether it is guilty or not guilty, must be by complete agreement of all jurors.

_____ **PRESUMPTION & PROOF:** At trial I am presumed innocent until proven guilty. The burden of proving me guilty of the crime(s) charged against me is upon the prosecution. The prosecution must prove each and every element of a crime beyond a reasonable doubt.

_____ **APPEAL:** If I plead guilty or no contest or am tried and convicted of the crime(s) with which I am charged, I have the right to appeal. I am entitled to a trial *de novo* (a new trial) in the district court only if I file a notice of appeal within 28 days of sentencing if convicted or within 28 days of entering a plea that is held in abeyance.

I understand each of these constitutional rights. They have been explained to me by the judge or by a lawyer, I have no questions about them. I know that I could plead not guilty and exercise all of the rights listed above. I understand that by entering a plea of guilty, I AM GIVING UP ALL OF THESE CONSTITUTIONAL RIGHTS.

CONSEQUENCES OF ENTERING A GUILTY PLEA

I am admitting that I did commit the crime(s) to which I plead guilty. I convict myself the same as if I were found guilty by judge or jury. Where more than one crime is involved, sentences may be imposed one after another (consecutively), or they may run at the same time (concurrently). In sentencing me, the judge is not required to follow what any other person, including the prosecutor, recommends. The judge must impose sentence within the following limits:

OFFENSE	JAIL	FINE
Class B Misdemeanor	0 to 180 Days	\$0 to \$1000 Plus maximum 90% surcharge, plus \$40 legislative fee - \$1,940.00
Class C Misdemeanor	0 to 90 Days	\$0 to \$750 Plus maximum 35% surcharge, plus \$40 legislative fee - \$1,052.50
Infraction	None	\$0 to \$750 Plus maximum 35% surcharge, plus \$40 legislative fee - \$1,052.50

IMMIGRATION/DEPORTATION

I understand that if I am not a United States citizen, my plea(s) today may, or even will, subject me to deportation under United States immigration laws and regulations, or otherwise adversely affect my immigration status, which may include permanently barring my re-entry into the United States. I understand that if I have questions about the effect of my plea on my immigration status, I should consult with an immigration attorney.

ENTRY OF GUILTY PLEA

Of my own choice, I enter this plea. No force, promises, or threats have been made to get me to enter this plea. I am not under the influence of alcohol or drugs or anything that would impair my judgment right now. I have read this document or had it read to me. I understand its contents and adopt each statement in it as my own. By signing this document, I am saying that **I ENTER A PLEA OF GUILTY TO** (offense and class):

I understand that if I want to withdraw my guilty or no contest plea(s), I must file a written motion to withdraw my plea(s) before sentence is announced. I understand that for a plea held in abeyance, I waive the 45 days to be sentenced and a motion to withdraw from the plea agreement must be made within 28 days of pleading guilty or no contest. I will only be allowed to withdraw my plea if I show that it was not knowingly and voluntarily made. I understand that any challenge to my plea(s) made after sentenced must be pursued under the Post-Conviction Remedies Act in Title 78, Chapter 35a, and Rule 65C of the Utah Rules of Civil Procedure.

STIPULATION TO NOTICE BY MAIL

I agree that notices from the court while this case is pending may be sent by US mail to the address below. I agree to notify the court in writing of any address change within 10 days of the change. The prosecution will be required to send notice by US mail to the address that I am required to provide the court. My failure to comply with this stipulation may result in the issuance of a warrant for my arrest, by the court.

SIGNATURE ACKNOWLEDGING AND INCORPORATING ALL OF THE ABOVE

Date

Defendant's Signature

SIGN HERE



Street Address

City / State / Zip

Defense Attorney

Salt Lake City Justice Court Judge

By my signature, I hereby find that the defendant has knowingly and voluntarily entered a GUILTY or NO CONTEST plea or pleas.