

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

STATE OF FLORIDA
Plaintiff,

CASE # _____

-v-

Defendant.
_____ /

PLEA

1. I, the above-named Defendant, hereby withdraw my plea(s) of Not Guilty, and enter the following plea(s) of:
- () Guilty () Nolo Contendere to _____,
a _____ degree felony / misdemeanor with a maximum penalty of _____ years/months.
- () Guilty () Nolo Contendere to _____,
a _____ degree felony / misdemeanor with a maximum penalty of _____ years/months.
- () Guilty () Nolo Contendere to _____,
a _____ degree felony / misdemeanor with a maximum penalty of _____ years/months.
- () Guilty () Nolo Contendere to _____,
a _____ degree felony / misdemeanor with a maximum penalty of _____ years/months.

2. I understand the following paragraphs concerning my trial rights:

- a. that if the Court accepts my plea(s), I give up my right to a trial, at which I would have had the following rights:
- (i) to have a jury determine whether I am guilty or not guilty;
 - (ii) to see and hear the witnesses testify, and to have my lawyer question them for me;
 - (iii) to subpoena & present witnesses and items of evidence in my defense, and to present any defense I might have to a jury;
 - (iv) to testify or to remain silent; and
 - (v) to require the Assistant State Attorney to prove my guilt by admissible evidence beyond any reasonable doubt before I can be found guilty by the jury.

b. 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.

c. That a plea of Not Guilty denies that I committed the crime(s); a Plea of Guilty admits that I did commit the crime(s); and a Plea of Nolo Contendere (No Contest) 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).

d. that I have read the Information/Indictment 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), and I understand these things. I understand that if I am on parole, my parole can be revoked and I can be returned to prison to complete that sentence; and if I am on probation in another case 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 this case.

3. Neither my lawyer nor anyone else has told me or promised me that the judge would give me a particular sentence, nor has my lawyer or anyone else told me or promised me anything to get me to enter my plea(s) except as set forth below or said in open Court:

a. () No promises have been made by my lawyer or anyone else.

b. () The Assistant State Attorney has agreed to _____

c. () The judge has agreed to _____

4. I understand that if my plea is to a felony, my sentence will be imposed under the Sentencing Guidelines. A presumptive sentence will be determined based upon certain factors. The judge can go above this presumptive sentence and impose up to the maximum for each count as listed above by stating clear and convincing reasons. If the Judge goes above this presumptive sentence, I will have the right to appeal my sentence. I also understand that if my plea is to a misdemeanor, that the Sentencing Guidelines do not apply and that the Judge can sentence me up to the maximum for each misdemeanor count listed above.

5. I understand that if the Judge places me on probation at my sentencing, and at a later time, the Judge revokes my probation (after a Violation of Probation hearing or my admission to the Violation), the Judge can then sentence me to the maximum penalty for the charge(s) listed above.

6. I understand and agree that if the Judge permits me to stay out of jail pending sentencing I must notify my lawyer and bondsman or pre-trial release officer of any change in my address of phone number, and if the Judge orders a Pre-Sentence Investigation (PSI) and I willfully fail to appear for an appointment with the probation officer for the PSI interview, the Judge can place me in jail for the PSI interview, or until my sentencing.

7. My education consists of _____ . I am not under the influence of any drug, medication or alcohol at the time I sign this plea. I am not suffering from any mental problems at this time which affect my understanding of this plea.

8. Neither my lawyer nor anyone else has pressured or forced me to enter my plea and I am entering my plea voluntarily of my own free will and because:
() I believe that I am guilty () I believe it is in my own best interest.

9. I have read every word in this written plea. I have discussed this written plea with my lawyer and I fully understand everything contained in it. I have discussed the maximum penalties for my plea, the sentencing guidelines and I fully understand them. I have told my lawyer everything I know about this case and these charges. I am fully satisfied with the way my lawyer has handled my case for me and have no complaints.

10. I understand, and my lawyer has explained to me that if I am not a United States citizen, my plea of guilty or Nolo Contendere subjects me to deportation according to the Laws & Regulations of the United States Immigration and Naturalization Service.

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

Larry Whaley, Clerk of Courts

By: _____
Deputy Clerk

Defendant's Signature _____
Address & Phone _____
_____ () _____

CERTIFICATE OF DEFENDANT'S ATTORNEY

I, Defendant's attorney of record, certify that: I have discussed this case with the defendant, including his/her trial rights, 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), the sentencing guidelines, and his/her right to appeal. No promises have been made to the defendant other than as set forth in this form 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.

Defendant's attorney _____

CERTIFICATE OF ASSISTANT STATE ATTORNEY

() I consent to the plea(s) to the lesser charge. () I confirm the promises in 3(b) have been made.

Assistant State Attorney _____