

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

STATE OF FLORIDA
Plaintiff,

CASE # _____
Division _____

vs.

_____/
Defendant.

PLEA(S)

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

- () Guilty () *Nolo Contendere* to _____ Fla. Stat. § _____.
- () Guilty () *Nolo Contendere* to _____ Fla. Stat. § _____.
- () Guilty () *Nolo Contendere* to _____ Fla. Stat. § _____.
- () Guilty () *Nolo Contendere* to _____ Fla. Stat. § _____.
- () Guilty () *Nolo Contendere* to _____ Fla. Stat. § _____.

2. My lawyer has explained, and I fully understand, that if the Court accepts my plea(s), I give up my right to a trial, and the following rights:

- (a) to have a jury determine whether I am guilty or not guilty; or a hearing before a judge if charged with a Violation of Probation;
- (b) to see & hear witnesses testify, and to have my lawyer question them for me;
- (c) to subpoena witnesses and have my lawyer present witness & evidence in my defense, and to have my lawyer present any defense I might have to a jury;
- (d) to testify or to remain silent; and
- (e) to require the Assistant State Attorney to prove my guilt by admissible evidence beyond a reasonable doubt; or to the Court's conscience if charged with a Violation of Probation, before I can be found guilty.

My lawyer has explained, and I fully 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 what an appeal is.

3. My lawyer has explained, and I fully understand, that a plea of not guilty denies that I committed the crime(s); a guilty plea admits that I committed the crime(s); & a *nolo contendere* plea 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 & the Court will impose sentence(s) based upon my plea(s).

4. I have read the Information / Indictment / Warrant in this case & I understand the charge(s) to which I enter my plea(s). My lawyer has explained to me, & I fully understand, the maximum penalty for the charge(s); the essential elements of the crime(s), and possible defenses to the crime(s). Further, my lawyer explained, and I fully understand, that if I am on parole, my parole can be revoked and I can be returned to prison to complete the 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). My lawyer explained, and I fully understand, that I may be deported if I am not a United States Citizen.

5. **No one has promised me anything to get me to enter the plea(s) except as stated herein. The Assistant State Attorney has recommended the following sentence:** _____

The Judge has promised the following: _____

I understand the maximum penalty for the charges include _____ years in prison, in addition to maximum fine(s) totaling \$_____, plus court costs and restitution, if applicable.

6. My lawyer has explained, & I fully understand, that in addition to the terms in Paragraph 5, I might also be placed on probation and will be required to pay the cost of supervision.

7. No one has pressured or forced me to plea. I am entering this plea because I believe I am guilty or I believe it is in my own best interest. I enter the plea(s) voluntarily and of my own free will.

8. My lawyer has explained, & I fully understand, that if I am sentenced to prison and I have any history of sexual offenses, then the Assistant State Attorney can later attempt to have me involuntarily civilly committed to a treatment facility indefinitely.

9. My lawyer has explained, & I fully understand, that I give up the right to have the Assistant State Attorney recite to the Court the facts showing my guilt before acceptance of the plea(s).

10. My lawyer has explained, & I fully understand, that my sentence will be imposed under the Criminal Punishment Code. The Assistant State Attorney will prepare a Criminal Punishment Code Scoresheet. This Scoresheet will be based, in part, upon my prior criminal record. My lawyer has explained, and I fully understand, that I will not be permitted to withdraw my plea(s) if the correct Criminal Punishment Code Scoresheet is other than what I presumed at this time. My lawyer explained, & I fully understand, that the Criminal Punishment Code Scoresheet only suggests a minimum sentence, and that the Court can exceed this minimum sentence & impose up to the maximum term of incarceration & maximum fine for each offense.

11. My lawyer has explained, & I fully understand that if I have two or more prior felony convictions I may receive a sentence of double the time in Paragraph 5, or a life sentence if the maximum is 30 years in prison, in addition to the fine(s).

12. My lawyer has explained, & I fully understand and agree that if the Court permits me to remain at liberty pending sentencing, I must notify my lawyer, bail bondsman, or Pre-Trial Release Officer of any address or telephone number change; 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 has been completed, or until my sentencing date.

13. I am not under the influence of any drug, medication, or alcohol. Nor am I suffering from any physical or mental problems at this time which may affect my understanding of this plea. The highest level of education I have completed is _____.

14. I have read every word in this plea agreement; have discussed it with my attorney; and I fully understand it. I am fully satisfied with the way my lawyer has handled my case. My lawyer has done everything I have asked them to do.

SWORN TO, SIGNED & FILED IN OPEN COURT in the presence of Defendant's Attorney & Judge in Orlando, Orange County, Florida this _____ day of _____, 20_____.

LYDIA GARDNER, Clerk of the Circuit Court & County Court

Defendant's Signature
Address _____

By _____
Deputy Clerk in Attendance

Telephone #(_____) _____
Date of Birth ____/____/____

CERTIFICATE OF DEFENDANT'S ATTORNEY & ASSISTANT STATE ATTORNEY

I, Defendant's Attorney of Record, certify the following: I have discussed this case with Defendant, including the nature of the charges, essential elements of each, the evidence against them of which I am aware; their possible defenses, the maximum penalty of the charge(s), & their right to appeal. No promises have been made other than as set forth in this plea or on the record. I believe Defendant fully understands this written plea; the consequences or entering it; and that the plea is entered of the Defendant's own free will.

I, the Assistant State Attorney, consent to the plea(s) to lesser charges, if applicable, and conform to the representations in Paragraph 5.

Attorney for Defendant
Florida Bar # _____
Defendant's Attorney

Assistant State Attorney
Florida Bar # _____