

STATE OF FLORIDA

VS

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

CASE NO.

Defendant

PLEA

1. I, the above-named defendant, hereby withdraw my plea of not guilty and enter the following pleas of guilty: _____

2. I understand that the maximum penalty for this crime(s) is a jail sentence of _____; supervised probation of _____ and a fine of _____.

I understand that any sentence imposed against me can include a combination of jail, plus probation as long as the total does not exceed _____ months. I also understand that for certain traffic offenses I can have my license suspended or revoked by the court and by the Department of Motor Vehicles. In my case, I understand that the court can suspend my privilege to drive anywhere in the United States for a period of _____. I also understand that the court can impose as a condition of probation that I do community service work.

3. I understand that by entering a plea of guilty I am giving up the following trial rights:

- (a) My right to a trial by jury.
- (b) My right to require the state to prove my guilt by proper evidence beyond and to the exclusion of every reasonable doubt.
- (c) The presumption of innocence that follows me through every stage of the trial.
- (d) My right to have an attorney present and representing me at my trial.
- (e) My right to confront the state's witnesses and to cross examine each witness who testifies against me.
- (f) My right to be present during every aspect and stage of the trial.
- (g) My right to present any and all defenses that I may have to the crime(s) charged against me.
- (h) My right to require by court order the appearance of all defense witnesses and to call these witnesses on my behalf during the trial.
- (i) My right to testify on my own behalf during the trial, or to remain silent.
- (j) My right to object and thereafter appeal any possible error, mistake, unfairness, injustice, or oversight that occurred during the course of my trial.
- (k) My right to introduce any and all proper evidence and exhibits to support my defense.
- (l) My right to be found not guilty by the My court if the state fails to establish a prima facie case of guilt against me.
- (m) My right to be tried within ninety (90) days of my arrest.

4. My lawyer has explained to me what an appeal is and I understand that by entering a plea I am giving up my right to appeal all matters except the legality of my sentence or this Court's authority to hear my case.

5. My lawyer has advised me and I understand that a plea of not guilty denies that I have committed a crime; a plea of guilty admits that I did commit the crime. I understand that if I plead guilty the court will consider that I have admitted by guilt for the purposes of imposing a sentence based upon my plea. I also understand that if the court accepts my plea of guilty there will be NO TRIAL and the court can impose any legal sentence based upon my plea.

6. I have read the information/traffic citation in the case(s). I understand the charge(s) to which I enter my plea. My lawyer has explained to me the maximum penalty for the charge(s), the essential elements of the crime(s) and the possible defenses to the crime(s) and I understand these things.

7. I understand that if I am placed on probation and thereafter violate any terms or condition of my probation, that upon said violation being proven to the satisfaction of the court by the state, I can have my probation revoked and be sentenced to jail for the maximum statutory sentence less credit for time served.

X

Defendant

8. 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 for the below or said in open court:

- (a) No promises have been made by my lawyer or anyone else.
- (b) The prosecutor has agreed to recommend the following sentence:

(c) The judge has agreed to the following sentence: _____

(d) Unless the judge has agreed in (c) above to a specific sentence, I understand that the judge is not bound by any recommendation of the prosecutor and my attorney as to sentence and that I will not be allowed to withdraw my plea if the judge does not follow such recommendation.

9. 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 Pretrial Release Officer of any charge in my address or telephone number.

10. My education consists of _____

- () I can read and write.
- () I cannot read and write. My lawyer has read this written plea for To me in its entirety and I fully understand it.

11. 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 the time which affect my understanding of this plea.

12. Neither my lawyer nor anyone else has pressured, force, or coerced me into entering this plea. No promises have been made to me by anyone as to the sentence I shall receive other than what is contained in this plea form or what has been told to me in open court.

13. I am entering my plea voluntarily and of my own free will and because I believe it is in my best interest to plead guilty to the crime(s) I have been charge with.

14. I have read every word of this written plea. **X** _____
Signature

15. I have discussed this written plea with my lawyer and I fully understand everything contained in it.
X _____
Signature

16. I have told my lawyer everything I know about this case and these charges.

17. I am () fully satisfied, () not satisfied, with the way my lawyer has handled my case for me.

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

SWORN TO AND FILED in Open Court in the presence of defense counsel and the Judge

This _____ day of _____ of 2023.

Kelvin Soto, Esq., Clerk of the Circuit Court & County Comptroller

Defendant's Signature: _____

By: _____
Deputy Clerk in Attendance

Email Address: _____

Address and Phone: _____

CERTIFICATE OF DEFENSE COUNSEL

I, Defendant's Counsel 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.

Counsel for the Defendant: _____
CERTIFICATE OF PROSECUTOR

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

Assistant State Attorney: _____