

SUPERIOR COURT OF CALIFORNIA – COUNTY OF SAN MATEO

THE PEOPLE OF THE STATE OF CALIFORNIA)
)
) Plaintiff)
)
 vs.)
)
) Defendant)
 _____)

NO. _____

**WAIVER OF RIGHTS FOR ENTRY
OF PLEA OF GUILTY
OR NOLO CONTENDERE
(NO CONTEST)**

I, the undersigned, understand the nature of the charges against me.

I understand that I have a right to be represented by an attorney at all stages of the proceedings and if I cannot afford an attorney, to have the Court appoint one.

[CHECK ONE ONLY]

- I hereby give up the right to be represented by an attorney.
- My attorney is present and I have discussed the charges and possible defenses with my attorney.
- I hereby give up my right to be personally present at all stages of the proceedings and authorize my attorney to appear on my behalf and enter a plea of guilty or nolo contendere. I have previously discussed the charges and the possible defenses thereto with my attorney.

I HEREBY GIVE UP THE FOLLOWING RIGHTS:

1. The right to a trial and specifically the right to a trial by jury.
2. The right to use the power of the Court to subpoena witnesses and present evidence on my behalf, including my right to testify on my own behalf.
3. The right to confront and cross-examine the witnesses against me.
4. The right against self-incrimination, which means the right not to testify against myself.

My decision to plead guilty or nolo contendere has been made freely and voluntarily without threat or fear to me or anyone closely related to or associated with me. There have been no promises to me of rewards, immunity, probation, or anything else to induce my plea of guilty or nolo contendere, except

I understand that the maximum penalty which may be imposed is as indicated below:

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COUNT NUMBER AND CHARGE

MINIMUM/MAXIMUM PENALTY

<input type="checkbox"/> If this box is checked, I am charged with Section 23103 under 23103.5 of the Vehicle Code.	No Probation: not less than 5 nor more than 90 days in County Jail or a fine of not less than \$145 nor more than \$1,000 fine (plus assessments) or both fine and imprisonment. Probation Granted: not less than 5 nor more than 90 days in County Jail or a fine of not less than \$145 nor more than \$1,000 fine (plus assessments) or both fine and imprisonment and participation in and completion of at minimum the educational component of an alcohol and drug education program

I understand that if I am charged with 23103 under 23103.5 of the Vehicle Code, a plea of guilty/nolo contendere to that charge will be considered a prior conviction to enhance the penalties under V.C. Sections 23152 and/or 23153 if the commission of said offense(s) occurs within seven (7) years of the commission of this offense.

I understand that I will be ordered to make restitution to the victim, if the offense involved a victim and that the restitution order shall be enforceable as a civil judgment. I understand that a restitution fine of not less than \$100 or more than \$1000 will also be imposed.

If applicable, I understand that, if I am subsequently convicted of a misdemeanor violation of VC Section 12500(a), 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5, pursuant to VC Section 14607.6 a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway by a driver with a suspended or revoked license, or by an unlicensed driver who is the registered owner of the vehicle who has a previous misdemeanor conviction of any one of these sections.

If applicable, I understand that if I am convicted of a violation of Vehicle Code section 14601.2, the Court will require me to install an Ignition Interlock Device (IID) on any vehicle that I own or operate for a period of up to three years. Installation of this device, which prevents the vehicle from starting if I have alcohol in my body, DOES NOT AUTHORIZE ME TO DRIVE WITHOUT A VALID DRIVER'S LICENSE. Failure to install the Ignition Interlock Device shall result in the suspension of my driver's license by the Department of Motor Vehicles.

I understand that if I am not a citizen, a conviction of the offense for which I have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

If applicable - I understand that I have the right to enter my plea before, and be sentenced by a judge. I give up this right and agree to enter my plea before, and be sentenced by _____, Temporary Judge.

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Dated: _____
_____ Defendant's Signature

I understand that I have the right to be sentenced by the same Judge who takes this plea, and hereby give up that right unless the following box is checked.

I have read and understand all of the rights set forth above. With these rights in mind, I wish to waive these rights and to enter a plea of (circle one) GUILTY / NOLO CONTENDERE to Section(s):

Dated: _____
_____ Defendant's Signature

I hereby certify that I have explained all of the above-mentioned rights to the above-named person and I am satisfied that s/he knowingly and intelligently has waived all of the rights enumerated above and has full understanding of the nature and the consequences of the charge(s) against him/her.

Dated: _____
_____ Attorney Signature

INTERPRETER:

I certify that I have well and truly translated the entire contents of this form into the _____ language and the defendant stated to me that s/he understands the entire contents.

Dated: _____
_____ Interpreter's signature

FINDINGS AND ORDER

The Court finds that the defendant has knowingly and intelligently waived his constitutional and statutory rights and that the defendant's plea is freely and voluntarily entered; the court accepts the defendant's plea and finds the defendant guilty.

Dated: _____
_____ JUDGE OF THE SUPERIOR COURT