

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR WAKULLA COUNTY,
FLORIDA

Vs.

CASE NO.: _____

Defendant.

SPN. No.: _____

PLEA AND ACKNOWLEDGEMENT OF RIGHTS

I hereby enter a plea of () no contest () guilty to the following criminal offense(s):

Count ____ Offense _____ Max/MinPenalty _____

Count ____ Offense _____ Max/Min Penalty _____

Count ____ Offense _____ Max/Min Penalty _____

Count ____ Offense _____ Max/Min Penalty _____

My plea is entered with the understanding that the state and I have agreed to the following disposition of my case: Jail Credit _____

Court Costs/Fine \$ _____ P.D. Fee (27.52(1)(b), F.S.) \$ _____
P.D. LAF (938.29(1),F.S.) \$ _____ Cost of Prosecution (938.27(8),F.S.) \$ _____

I ask the Court to accept this plea. I state and swear that I understand the following:

(1) The judge will place me under oath to question me about this plea. I must answer the judge's questions truthfully, and if I make a false statement while under oath I could be prosecuted for perjury.

(2) A plea of not guilty denies my guilt, a plea of guilty admits my guilt, and a plea of no contest means that I will not contest the evidence against me. My plea of guilty or no contest means there will be no trial, and no further investigation, discovery, or pretrial motions. The next event will be a sentencing which will end this case.

(3) I understand the nature of the charges to which I am pleading and I am aware of the maximum and minimum penalties. My lawyer has informed me of the facts the State would have to prove before I could be found guilty, and discussed with me any possible defenses that could be raised in my case. There are no alibi or defense witnesses my lawyer has refused to investigate. I am satisfied with my lawyer's advice and help. I understand that a plea to a felony causes me to lose certain rights, including the right to vote and possess firearms.

(4) If the judge accepts this plea, I give up the right to a trial, the right to require the State to prove the charge against me beyond a reasonable doubt, the right to have a jury decide whether I am guilty or not guilty, the right to see and hear the witnesses against me and to have my lawyer question them, the right to subpoena and present witnesses or other evidence or any defenses I may have, and to testify or remain silent as I choose.

(5) By pleading guilty or no contest I am giving up the right to appeal all matters, including my guilt or innocence, unless I have specifically reserved that right in this plea form or as stated in open court. If I have reserved some appeal right, I have 30 days to appeal the court's judgment and sentence, and if I cannot afford a lawyer, one will be appointed for me.

(6) If I am not a United States citizen, a plea of guilty or no contest could result in my deportation.

(7) If the offense to which I am entering this plea is a sexually violent offense or an offense that was sexually motivated, or if I have been previously convicted of such an offense in any state or federal court, I may be subject to involuntary civil commitment as a sexually violent offender under the AJimmy Ryce Act@ when my sentence is completed. Further, I have been advised of the registration and other requirements of sections 775.21(Sexual Predator), 943.0435(Sexual Offender) and 944.607(Sexual Offender), Florida Statutes.

(8) If I violate the terms of any community supervision, and the violation(s) are found to be willful and substantial, I later may be sentenced to the maximum penalty permitted by law as indicated on the reverse of this plea and rights form. If I am placed on probation, I will be required to pay a monthly cost of supervision fee.

(9) The judge will assess various types of financial costs (restitution, costs, fines, surcharges and attorney=s fees) against me. The failure to pay any of my financial obligations may result in my driving privileges being suspended. A conviction for certain offenses may also result in my driving privileges being suspended by the Department of Highway Safety. A charge involving controlled substances (drugs) is one of these offenses. I have discussed this possibility with my attorney.

(10) My lawyer has explained to me that this plea and sentence may be used in the future to enhance criminal penalties against me should I be convicted of a new offense.

(11) My attorney has reviewed the nature of the evidence in this case with me. I am not aware of the existence of any physical evidence that could be tested for DNA purposes that would tend to show that I am innocent of this charge.

(12) I have carefully read all pages of this form, and I understand all of the rights and duties explained in this form. I state to the Court that I am not under the influence of medicine, drugs or alcohol, that no one forced or threatened me to enter this plea, and that I am entering this plea freely and voluntarily. No one has promised me anything other than what has been stated here in open court before the judge. I am entering this plea because I acknowledge my guilt or I believe it is in my best interest to do so. I have asked my attorney all of the questions I have about my case and this plea and I have received complete and satisfactory answers to my questions.

SWORN this _____ day of _____, 20 _____.

Defendant

I hereby certify that I have informed the defendant of the nature of each charge against him, the maximum penalty, any applicable minimum penalty, the required elements of proof, and any possible defenses. I believe the defendant understands the rights and duties explained in this plea form and that the defendant is entering this plea freely and voluntarily with a full and complete understanding of the consequences.

Counsel for the Defendant

Plea Accepted and Plea Form Filed by:

Circuit Judge