NO._____

THE STATE OF TEXAS	§	**THE COUNTY COURT AT LAW**
VS.	§	**OF**
_____	§	**McLENNAN COUNTY, TEXAS**

WAIVER OF JURY TRIAL AND OTHER RIGHTS, ACKNOWLEDGMENTS AND PLEA

(Guilty or Nolo Contendere)

I, the Defendant, in person, and in open court, after full consultation with, and with the consent and approval of my attorney, freely and voluntarily enter my plea and make the waivers, requests, acknowledgments and stipulations contained in this document.

I am the person charged in this Information, I am mentally competent, I understand the charge(s) against me. and my true name is correctly alleged in the Information, unless I have submitted a written name correction. I understand I can plead guilty, not guilty or nolo contendere ("no contest"). I understand the minimum and maximum punishment possible in this case.

Waivers and Plea: I understand I have the right to remain silent, and the right to have these proceedings recorded by a court reporter; I waive those rights. If I am represented by court-appointed counsel, I waive my right to ten days to prepare for trial following my attorney's appointment. I understand I have the right to a jury trial on any plea I enter. I waive my right to be tried by a jury, and I request the Court to receive my plea of _____ **GUILTY** _____ **NOLO CONTENDERE** herein, and to assess my punishment without a jury. I expressly agree that the State's attorney may summarize the State's evidence in this cause and may submit to the Court any supporting documents. I waive any right to confront and cross-examine the witnesses against me and agree and stipulate that, if the witnesses were personally present and testifying under oath, their testimony would be the same as reflected by the State's summary of evidence and documentary evidence. I consent and agree to any other stipulations I have approved in writing and filed with the Court. I request that the Court not order a pre-sentence investigation.

Plea Agreements: I understand that the State's punishment recommendation, if any, is not binding on the Court, and that **if the punishment assessed by the Court does not exceed the punishment recommended by the prosecutor and agreed to by me, I cannot appeal without the Court's permission, except on matters raised by written motion filed and ruled on prior to trial.**

Citizenship: _____ I **AM** ***or*** _____ **I AM NOT** a citizen of the United States. *(If "I am not" checked, Defendant and Defense Counsel should complete a separate Acknowledgment by Non - U.S. Citizen)*.

Deferred Adjudication: I understand that if the Court defers an adjudication of guilt and places me on community supervision, on violation of any condition, I may be arrested, and my hearing will be limited to a decision by the Court on whether to proceed with an adjudication of guilt on the original charge. If the Court proceeds to an adjudication of guilt, all proceedings, including assessment of punishment, sentencing, granting of community supervision, and appeal will continue as if adjudication of guilt had not been deferred. I acknowledge that, upon adjudication of guilt, I can be sentenced to the maximum punishment provided by law for this offense.

Family/Dating Violence: ***If you are convicted of a misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to federal law under 18 U.S.C. Section 922 (g) (9) or Section 46.04 (b) Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.*** I acknowledge that 1) I have read and understand the statements above, 2) I have been advised that if a family violence or dating violence finding is made, if I am charged with a crime in the future in which family violence or dating violence is alleged, the State may prosecute that offense as a felony and, if I am convicted of that offense, I could be sentenced as a felon, and 3) I would be prohibited from possessing or transferring any type of firearm or ammunition.

Defendant's signature: _____

Military Service: _____ I **AM NOT** ***or*** _____ **I AM** a member of any state military force or serving in the armed forces of the United States in an active-duty status. *(if "I am" checked, Defendant must complete a separate Certificate of Military Service)*

I have read this document, it has been explained to me, and I understand the consequences of my plea. I still insist upon my plea indicated above.

Date:_____ Defendant's signature: _____

I have consulted with and advised my client concerning the charges and my client's rights, including the plea entered and its consequences. I believe my client is competent and fully understands the admonishments and the consequences of his/her plea. I approve all waivers, acknowledgments, requests and stipulations made herein.

Date: _____ Attorney for Defendant: _____

State Bar Number: _____

APPROVED: Assistant Criminal District Attorney: _____

State Bar Number: _____

The Court finds that the Defendant 1) is mentally competent, 2) understands the nature of the charge(s), 3) has been duly admonished regarding and understands the consequences of the waivers, requests and acknowledgments herein, and 4) persists in Defendant's waivers, requests and plea. The Court, therefore, approves and accepts the Defendant's written waivers, requests, acknowledgments and plea made herein.

Date: _____ Judge Presiding: _____