

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA
vs.

Case Number(s): _____

_____,
Defendant

WAIVER OF RIGHTS SHEET

By placing my initials beside the following paragraphs, I state that I understand the content of each item, either by having read each item or by having each item read and explained to me by my attorney and qualified interpreter if applicable; and that each item so initialed is true and correct as it applies to me.

1. _____ I am the defendant in the above-mentioned matter(s), and I am represented by the attorney indicated below. I understand I have the right to be represented by an attorney at all stages of the proceeding until the case is terminated, and if I cannot afford an attorney, one will be appointed free of charge.
2. _____ I understand I am giving up my right to a trial and to have my case decided by a jury or a judge.
3. _____ I understand I am giving up my right to confront, cross-examine and ask questions of the State's witnesses.
4. _____ I understand I am giving up my right to call witnesses and make them come to court and testify.
5. _____ I understand I am giving up my right to testify at a trial before a jury or a judge.
6. _____ I understand I am giving up my right to make the State prove guilt a) by presenting evidence beyond a reasonable doubt that I am guilty or b) by presenting evidence that by a preponderance of the evidence I am in Violation of Probation.
7. _____ I understand that by entering this plea, I waive my right to direct appeal of any matters relating to judgment, including the issue of guilt or innocence, unless I plead no contest, specifically reserving my right to appeal.
8. _____ I understand that if I were to be convicted of another charge in the future, any state or federal court could use the conviction in this case against me to enhance a charge, increase the sentence or impose a possible mandatory sentence even if adjudication of guilt in the present case is withheld.
9. _____ I agree that there is a factual basis for the charges to which I am pleading guilty or no contest. I understand that once the plea is accepted by the court, there will not be a trial or further determination of my guilt or innocence of these charges.
10. _____ I understand that by entering this plea, if I am sentenced to incarceration, and if this offense is found to be a sexually motivated offense or if I have been previously convicted of a sexually motivated offense, I may subject myself to involuntary civil commitment as a sexually violent predator both for this case and if I should become incarcerated in the future.
11. _____ No one has forced me, pressured me, intimidated me or has made any threats against me to get me to give up these rights and enter this plea. No one has made any promises or representations to me, other than those in the written plea agreement, to get me to give up these rights. The only promises or representations made to me are those listed in the plea agreement.
12. _____ I have discussed this case with my attorney, including the nature of the charges. My attorney has done everything I have asked him/her to do and I am fully satisfied with the representation I have received. I understand that for the crime(s) for which I am charged, the maximum sentence is _____, and the minimum sentence is _____.

Waiver of Rights Sheet

Case Number(s): _____

Page -2-

- 13. _____ I understand if I am not a United States citizen, this plea may be used by the United States Government as a basis to deport me, prevent me from becoming a U.S. citizen, prevent me from obtaining or retaining my alien status or prevent me from obtaining or retaining a Permanent Resident Card (Green Card), whether or not I am adjudicated guilty or whether adjudication of guilt is withheld, and whether the crime is a misdemeanor or a felony. Should this plea result in my deportation it would not change my decision to plead guilty/no contest in this case.
- 14. _____ I understand that no one can assure me of how much gain time or any other form of early release credit I will receive on a prison sentence, nor my eligibility for any form of early release. Any representations regarding those issues are not binding on the Court. I understand that I should assume I will serve every day of any jail or prison sentence imposed.
- 15. _____ I understand that by pleading guilty or no contest that I am also giving up my right to contest any motion to suppress any evidence seized by law enforcement or any statement I made to law enforcement or any other pretrial motions filed in this matter unless I plead no contest, specifically reserving my right to appeal.
- 16. _____ The Defendant states he/she fully understands the contents of this document and that he/she signed it freely and voluntarily.

DEFENDANT – SIGNATURE

DEFENDANT – PRINT

DATE

I certify that as an interpreter fluent in the _____ language, that I have interpreted this document to the Defendant who understands the _____ language.

INTERPRETER – SIGNATURE

INTERPRETER – PRINT

DATE

DEFENDANT’S ATTORNEY ONLY:

I am attorney of record. I have explained each of the above rights to the defendant. I have complied with my responsibilities under Fl. R. Crim. Proc. 3.171(c). I further stipulate that this document may be received by the Court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the Clerk as permanent record of that waiver. I am not aware of any physical evidence for which DNA testing may exonerate the Defendant.

ATTORNEY FOR THE DEFENDANT – SIGNATURE

FL BAR NO.

DATE

ATTORNEY FOR THE DEFENDANT - PRINT

The State of Florida is not aware of any physical evidence for which DNA testing may exonerate the Defendant.

ASSISTANT STATE ATTORNEY– SIGNATURE

ASSISTANT STATE ATTORNEY– PRINT

DATE