

Wickenburg Municipal Court

155 N. Tegner Street, Suite B Wickenburg, AZ 85390

(928) 684-5451 (928) 684-0749 wickenburgtowncourt@courts.az.gov

STATE OF ARIZONA

CASE NUMBER: _____

Vs

TELEPHONIC GUILTY/NO CONTEST PLEA PROCEEDING

Defendant _____

DOB _____

Defendant appears by telephone and expresses the desire to plead guilty or no contest to the charges indicated and I find the following facts.

1. Defendant understands the nature of the charges:

- | | | |
|---|--|---|
| <input type="checkbox"/> Assault, cl 1 2 3 | <input type="checkbox"/> False information, cl 1 | <input type="checkbox"/> Littering, cl 1 |
| <input type="checkbox"/> Criminal Damage, cl 1 2 | <input type="checkbox"/> Interference w/Judicial Proceedings, cl 1 | <input type="checkbox"/> Shoplifting, cl 1 |
| <input type="checkbox"/> Disorderly Conduct, cl 1 | <input type="checkbox"/> Theft, cl 1 | |
| <input type="checkbox"/> Driving on a Suspended license, cl 1 | <input type="checkbox"/> Fictitious Plate, cl 2 | <input type="checkbox"/> Racing/exhibition of Speed, cl 1 |
| <input type="checkbox"/> Excessive Speed, cl 3 | <input type="checkbox"/> Leaving the Scene of an Accident, cl 3 | |
| <input type="checkbox"/> Consume Alcohol in Public, cl 2 | <input type="checkbox"/> Minor Driving after Drinking, cl 1 | <input type="checkbox"/> Minor Possessing/Consuming Alcohol, cl 1 |
| <input type="checkbox"/> Violation of Promise to Appear, cl 2 | <input type="checkbox"/> Reckless Driving, cl 2 | <input type="checkbox"/> Other: _____ |

2. Defendant appeared with counsel or without counsel (waiver of counsel form with file).

3. Defendant has entered into a plea agreement, and consents to its terms; plea to the court.

4. Defendant desires to change the plea in this case from Not Guilty to Guilty or No Contest.

5. Defendant understands that the range of penalty to be:

6. The court has inquired as to the defendant's probation or parole status.

7. Defendant understands that the following constitutional rights are given up by changing the plea:

- Right to plead not guilty and require the State to prove guilty beyond a reasonable doubt.
- Right to a trial by jury by a judge.
- Right to be represented by an attorney and my right to have an attorney appointed for me if I cannot afford one.
- Right to confront witnesses against the defendant and cross-examine them as to the truthfulness of their testimony.
- Right to present evidence in the defendant's behalf and the right to subpoena witnesses free of charge.
- Right to remain silent and to be presumed innocent until proven guilty beyond a reasonable doubt.
- Right to direct appeal.

8. Defendant understands that, if he/she is a certified teacher or is teaching in a Community College District or Charter School, a guilty or no contest plea to a Title 13 violation will be reported and may result in consequences affecting your certification to teach or your employment as a teacher.

9. Defendant understands Rule 17.2f: If you are not a citizen of the United States, pleading guilty or no contest to a crime may affect your immigration status. Admitting guilt may result in deportation even if the charge is later dismissed. Your plea or admission of guilt could result in your deportation or removal, could prevent you from ever being able to get legal status in the United States, or could prevent you from becoming a United States citizen.

10. Defendant wishes to give up these constitutional rights after having been advised of them.

11. Defendant understands that a review of the conviction or sentence may only be made pursuant to Rule 32.

12. There exists a basis in fact or believing the defendant guilty of the offense charged.

13. Plea is voluntary and not the result of forces, threats, or promises other than those contained in the plea agreement.

I certify that I am an out-of-state resident or that I reside more than 100 miles from the court. I also certify that I have read and understand all of the matters cited above.

Date: _____

Defendant's signature

Defendant(s) Name/Address/Phone

STATE OF ARIZONA

Vs

CASE NUMBER: _____

TELEPHONIC GUILTY/NO CONTEST PLEA PROCEEDING

Defendant _____

DOB _____

Date _____

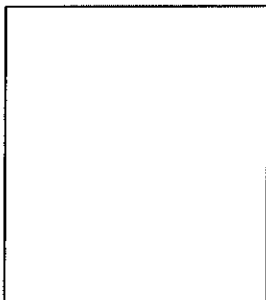
Defendant's Signature _____

I CERTIFY that the above named defendant personally appeared before me, and acknowledge that he or she read all of the foregoing information and identified himself or herself to me by presenting _____

(Driver's license number and/or picture identification)

Law Enforcement Official:

And that I have affixed a print of the defendant's right index finger to this document.



Officer Name and Badge Number _____

Law Enforcement Agency _____

Address _____

Telephone Number _____

Right Index Finger

Pursuant to Rule 17.1, Arizona Rules of Criminal Procedure, I request to resolve my pending criminal misdemeanor case(s) in through a telephonic plea proceeding. I swear under oath and penalty of perjury, that:

Notary Public:

In witness hereof, I hereunto set my hand and official seal.

(Seal)

Notary Public _____

I CERTIFY that I have personally advised the defendant telephonically:

1. Of the nature of the charges against him or her.
2. Advised the defendant of all constitutional rights which defendant waived by pleading guilty.
3. Ascertained that the defendant wishes to give up the constitutional rights of which he or she has been advised.
4. Inquired as to the defendant's probation or parole status.

The court finds a basis in fact for believing the defendant is guilty of the offense charged and, that the defendant's plea of guilty is voluntary and not the result of force, threats or promises other than those contained in a plea agreement.

On the basis of these findings, I conclude that the defendant knowingly, voluntary and intelligently pleads guilty or no contest to the above charges, and I accept his or her plea.

Date: _____

Town Magistrate _____

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**IN THE MUNICIPAL COURT
FOR THE TOWN OF WICKENBURG
STATE OF ARIZONA**

STATE OF ARIZONA

Case # _____

Vs,

Defendant

Waiver of Counsel

Instructions: The purpose of this form is to notify you of your right to an attorney and of the ways in which an attorney can be important to you in the case and also to allow you to give up your rights if you so choose. **READ THE ENTIRE FORM CAREFULLY BEFORE SIGNING.**

RIGHT TO AN ATTORNEY

I understand that I am charged with the violation(s) of:

A. _____ B. _____ C. _____ D. _____ E. _____

Which is/are misdemeanor(s) under the law of Arizona and that if I am found guilty I can be given a punishment, including probation, a fine, driver's license suspension, confinement in the Maricopa County jail, or other penalty.

I understand that under the constitution of the United States and of the State of Arizona, I have the right to be represented by an attorney at all critical states of this criminal case, before trial, at the trial itself, and during the proceeding to determine what sentence should be imposed if I am found guilty. I understand that if I am unable to obtain the services of an attorney without incurring substantial hardship to myself or to my family, one may be appointed for me, and part or all of the cost will be paid for me.

In all cases the judge will decide whether you qualify for a court-appointed attorney based upon both the nature of the charge and your financial situation.

I understand that the services of an attorney can be of value in determining whether the charges against me are sufficient as a matter of law, whether the procedures used in investigating the charges and obtaining evidence against me, including any confession I may have made, were lawful, whether an act I have committed actually amounts to the crime of which I am charged, whether I have any other valid defense to the charges, and, if I am found guilty, whether I should be placed on probation, be required to pay a fine, or be sentenced to a jail term. I understand that if I am found guilty of the offense charged the Court may sentence me to a term in jail even though I have given up my rights to an attorney.

RIGHT TO AN ATTORNEY AT ANY TIME

I understand that I can change my mind about having an attorney at any time by asking the judge to appoint an attorney for me, if I am entitled to an attorney, but I will not be entitled to repeat any part of the case already held without an attorney.

CERTIFICATE OF WAIVER

DO NOT SIGN THIS FORM UNLESS YOU HAVE READ IT COMPLETELY OR HAD IT READ TO YOU. DO NOT SIGN THIS FORM IF YOU WANT AN ATTORNEY. WARNING: If defendant appears at the next hearing without an attorney the hearing may still proceed as scheduled. After reading and understanding all of the above, I give up my right to an attorney in this case, and my right to have an attorney appointed for me if I cannot afford one.

Date: _____

Defendant: _____

Date: _____

Town Magistrate: _____