

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR CHARLOTTE COUNTY,
FLORIDA CRIMINAL ACTION
STATE OF FLORIDA

Plaintiff,

CASE NO: _____

vs.

PLEA OF GUILTY OR NO CONTEST

Defendant

I HAVE APPEARED ON THE BELOW LISTED DATE BEFORE A JUDGE IN CHARLOTTE COUNTY, FLORIDA, AND HAVE BEEN ADVISED OF AND HEREBY SWEAR UNDER OATH THAT I UNDERSTAND THE FOLLOWING:

1. The nature and elements of the charge(s) in this case.
2. The difference between the pleas of Guilty (admit the charge(s)), No Contest (do not challenge the charge(s)) and Not Guilty, and the effect of each plea.
3. The possible results of entering this plea, including any mandatory sentence that must be imposed, and the maximum sentence that may be imposed now or upon a material violation of probation.
4. a. That I have a right to an attorney and if I cannot afford one, an attorney may be appointed for me. I have intelligently and of my own free will decided to represent myself and give up my right to a lawyer.

OR

 b. I am satisfied with my attorney, and am entering this plea upon my lawyer's advice because I feel it is in my best interest.
5. If I am not a U.S. citizen, a plea may subject me to deportation
6. That if I plead guilty or nolo contendere and the offense to which I am pleading is one for which automatic, mandatory driver's license suspension or revocation is required by law to be imposed (either by the court or by a separate agency), the plea will provide the basis for the suspension or revocation of my driver's license.

I UNDERSTAND THAT WHEN I PLEAD GUILTY OR NO CONTEST THERE WILL BE NO TRIAL AND THAT I WAIVE (GIVE UP) THE FOLLOWING RIGHTS:

- My right to remain silent and not to incriminate myself on the above charge(s).
- My right to trial before/by the court or a jury.
- My right to face witnesses against me and to confront and cross-examine them.
- My right to make witnesses appear on my behalf through court subpoenas.
- My presumption of innocence and my right to require the State to prove me guilty beyond a reasonable doubt before that presumption is removed.
- My right to testify on my own behalf and to present any defenses I may have; but, I understand that I may still offer a brief explanation of the particular circumstances before being sentenced.

I AM ENTERING THIS PLEA OF MY OWN FREE WILL AFTER CAREFUL CONSIDERATION. NO PROMISES OR THREATS OR REPRESENTATIONS (OTHER THAN BY THIS COURT) HAVE BEEN MADE TO ME.

I AM NOT UNDER THE INFLUENCE OF ANY ALCOHOL OR DRUGS AT THIS TIME. I KNOW WHAT I AM DOING AND UNDERSTAND THE COURT'S INSTRUCTIONS. I DO NOT SUFFER FROM A MENTAL ILLNESS.

I UNDERSTAND THAT UPON THE JUDGE ACCEPTING MY PLEA OF GUILTY OR NO CONTEST THAT I HAVE THE RIGHT TO APPEAL THE JUDGMENT AND SENTENCE OF THIS COURT WITHIN 30 DAYS WITH THE ASSISTANCE OF COUNSEL. IF I CANNOT AFFORD AN ATTORNEY ONE MAY BE APPOINTED ON MY BEHALF. I UNDERSTAND THAT MY FAILURE TO APPEAL WITHIN 30 DAYS WILL CAUSE ME TO LOSE THAT RIGHT, EXCEPT FOR REVIEW BY APPROPRIATE COLLATERAL ATTACK.

HAVING READ AND UNDERSTOOD ALL THE ABOVE, I HEREBY ENTER MY PLEA OF:

() GUILTY () NO CONTEST

ATTORNEY

DEFENDANT

Defendant's Date of Birth

The above named Defendant appeared before me on the _____ day of _____, 20____. I find the Defendant to be alert, competent and to understand all of the above. I also find the facts which the prosecution is prepared to prove are sufficient to sustain the plea.

COUNTY COURT JUDGE

FIRST DEGREE MISDEMEANORS

A first degree misdemeanor is punishable by a definite term of imprisonment not exceeding 1 year and/or a fine not exceeding \$1,000.

Battery
 Carrying a Concealed Weapon
 Criminal Mischief (over \$200 damages)
 Cruelty to Animals
 Culpable Negligence with Personal Injury
 Discharging a Firearm in Public
 Exposure of Sexual Organs
 False Report of a Crime
 Improper Exhibition of Weapon
 Interference with Custody

Possession of Marijuana
 Possession of Paraphernalia
 Obstruction by Disguised Person
 Obtaining Property in Exchange for a Worthless Check
 Petit Theft – 2nd Offense
 Resisting Without Violence
 Trespass (with Inhabitants)
 Drive While License Suspended/Revoked:
 Habitual Offender or Prior Conviction

SECOND DEGREE MISDEMEANORS

A second degree misdemeanor is punishable by a definite term of imprisonment not exceeding 60 days and/or a fine not exceeding \$500.

Assault
 Criminal Mischief (under \$200 damages)
 Culpable Negligence (exposure to injury)
 Disorderly Intoxication or Conduct
 Gambling
 Loitering or Prowling
 Petit Theft (1st Offense)

Prostitution
 Public Nuisance
 Trespass (without Inhabitants)
 Unnatural and Lascivious Act
 Worthless Check (where property is not obtained in exchange therefore)

CRIMINAL TRAFFIC

1. Driving while impaired or with a .08 or above B.A.C. (Special penalties if .15 or above B.A.C.)

Offense	Minimum Fine	Maximum Fine	Minimum Jail	Maximum Jail	Minimum Suspension	Maximum Suspension	Interlock Device	Vehicle Impound
1 st	\$500	\$1,000	—	6 months	6 months	1 year	(>.15 6 mos)	10 days
2 nd	\$1,000	\$2,000	10 days (w/in 3 yrs)	9 months	5 years	—	1 year (>.15 2yrs)	30 days
3 rd	\$2,000	\$5,000	30 days (w/in 5 yrs)	1 year	10 years	—	2 years	90 days

50 hours community service – minimum on 1st offense. In all cases: Substance Abuse Course and Supervised Probation

- The following traffic offenses are punishable by a maximum of 60 days in jail and/or \$500 fine:
 Failure to Sign Traffic Citation
 Leaving the Scene with Damage
 False Accident Report
 No Valid Drivers License
 Unlawful Use of Drivers License
 Tag Offenses
 Driving While License Suspended
- Fleeing or Attempting to Elude: Jail-maximum of 1 year and/or maximum fine of \$1,000.
- Willful and Wanton Reckless Driving:
 1st Conviction – Minimum fine of \$25;
 Maximum jail of 90 days and/or fine of \$500.
 2nd Conviction – Minimum fine of \$50;
 Maximum jail of 6 months and/or maximum fine of \$1,000.
- Driving While License is Suspended/Revoked:
 1st Conviction – Maximum jail of 60 days and/or fine of \$500.
 2nd Conviction – Maximum jail of 1 year and/or fine of \$1,000.