

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 IN AND FOR THE COUNTY OF PLACER
 ADJUDICATION AND WAIVER OF RIGHTS (FELONY)

People vs. [full name] _____
 Date of birth: _____ Case number: _____

Ct	Charge	(F) (M)	Ser Fel	Potential sentencing range	Potential enhancements & years	Total sentence

You have the following trial rights in connection with the charges which are now pending against you. You will be giving up all of the following rights if you enter a plea of guilty or no contest.	I understand this right	I give up this right
Jury Trial: You have the right to a jury trial on the charges which are pending against you.	initial	initial
Confrontation: You have the right to confront the witnesses against you in trial: to see, hear and question all witnesses yourself or through your attorney.		
Subpoena: You have the right to subpoena witnesses for your defense.		
Testimony: You have the right to testify in your own defense.		
Self-incrimination: You have the right to remain silent and you cannot be forced to testify if you do not want to do so.		
Preliminary Hearing: You have the right to a preliminary hearing to determine if there is probable cause to hold you to trial.		
I understand I have the right to a jury or court trial, the right to confront and cross-examine witnesses, the right to subpoena witnesses, and the right to testify or remain silent, as to any sentencing factors that may be used to increase my sentence on any count, enhancement, or allegation to the upper or maximum term provided by law. I hereby give up the right to a jury and court trial, the right to confront and cross-examine witnesses, the right to subpoena witnesses, and the right to remain silent regarding any sentencing factors and consent to the judge determining the existence of any sentencing factors within the judge's discretion as allowed by statutes, court decisions, and Rules of Court existing prior to the U.S. Supreme Court decision in <i>Blakely v. Washington</i> . I also agree this waiver shall apply to any future sentence imposed following the revocation of probation.		

I understand that if I am sentenced to state prison, either now or after violation of probation, that I will be subject to a period of parole for up to seven years following my release from state prison (up to 14 years if convicted under P.C. §667.61; "Life" if convicted of murder).	
I understand that the judge's acceptance of this plea is not binding; that before sentencing the judge can withdraw approval and that I will be allowed to withdraw my plea.	
Registration Requirements: I understand that I will be required to register as: Sex offender (P.C. §290); Narcotics offender (H.S. §11590); Arson (P.C. §457.1); Street gang (P.C. §186.30)	

<p>Attorney's statement: I have explained the contents of this form to my client. I have had sufficient time to discuss this case with my client, including the elements of the crime, and I have advised him/her of his/her rights, defenses and the consequences of his/her plea. I join in the waiver of the rights made by my client, including the right to a jury trial.</p>	<p>Defendant's statement: I have read the front and back of this form. I have had enough time to speak with my attorney; I have told my attorney everything I know about this case; my attorney has explained to me my rights, my defenses and the possible consequences of my plea, including the consequences explained on the second page of this form. I am entering this plea freely and voluntarily. I hereby enter a plea of <input type="checkbox"/> guilty <input type="checkbox"/> Nolo Contendere to the charges listed above.</p>
Dated: Signed:	Dated: Signed:

The Court finds the defendant understands his/her constitutional rights, the nature of the crime(s) which he/she is admitting, the consequences of the plea, that the plea and waiver of rights have been knowingly and voluntarily made and that there is a factual basis for the plea.

Dated: _____ Signed: _____

Fines and Restitution	<ul style="list-style-type: none"> • You may be required to pay a fine of up to \$50,000.00 plus penalty assessments. • You are subject to a restitution fine of no less than \$200.00 and up to \$10,000.00. • You will be required to make restitution to the victim(s) for any losses suffered as a result of the crime(s).
Probation Terms	<p>You could be placed on probation or conditional sentence for a period of up to five years. As a condition of probation you could be required to serve up to one year in the county jail. You could be required to report to the court or the probation department, be subject to search and seizure without probable cause and you could be required to comply with other conditions in your case which deal with the crime to which you are pleading guilty or no contest.</p>
State Prison if Probation Violated	<p>If you violate the terms of probation, you may be sentenced to state prison up to the maximum term stated on this form and serve the period of parole as stated.</p>
Probation or Parole Violations	<p>If you are already on probation or parole, your probation or parole can be revoked by your plea.</p>
Citizenship	<p>If you are not a citizen of the United States the conviction for the offense charged may have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.</p>
Serious Felony/ Three Strikes Law	<p>If any of the crimes are serious felonies, they are also 'strikes' under the Three Strikes law. If you are pleading to a felony and admitting a prior 'strike', you will not be eligible for a grant of probation and your state prison conduct credits will be reduced from a maximum of 50% to a maximum of 20%. If you are later convicted of any felony, depending on the number of prior strikes you have, you may be sentenced to a maximum of life in prison.</p>
Co-defendants	<p>If you have co-defendants in this case, you agree that you are entering this plea because you think it is the right thing to do for yourself and you are not doing it just to get a benefit for someone else.</p>
No drugs or alcohol	<p>By signing this form, you agree that you are now sober, and that you have not recently consumed any drugs or alcohol that has affected your ability to understand these proceedings.</p>
Violent felonys/ conduct credits	<p>If you are pleading to a 'violent' felony, your conduct credits while in custody are limited to 15%, if you are sent to state prison.</p>