

14. *Read the following statements:* You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. At the trial:
- a. You have the right to have a lawyer represent you, either one you hire yourself, or if you are indigent a court appointed attorney.
 - b. You are presumed to be innocent of the charges.
 - c. You may remain silent or, if you choose, you may testify on your own behalf.
 - d. You have the right to see and hear all witnesses called to testify against you and the right to cross-examine them.
 - e. You may have your witnesses ordered to appear in court to testify and present evidence of any defense you have to these charges.
 - f. The State is required to prove your guilt beyond a reasonable doubt.
 - g. The verdict of guilty or not guilty decided by a jury must be unanimous. However, you can waive a jury trial and, if all parties agree, the case could be tried by a Judge alone who would decide if you were guilty or not guilty and if guilty, the appropriate punishment.

Do you understand each of these rights? YES NO

15. Do you understand by entering a plea of guilty you give up these rights? YES NO

16. Do you understand that a plea of guilty could increase punishment in any future case committed after this plea? YES NO

17. Do you understand if you are not a citizen of the United States, entering a plea of guilty may carry adverse immigration consequences, including deportation? YES NO

18. Have you talked over the charge(s) with your lawyer, advised him/her regarding any defense you may have to the charges and had his/her advice? YES NO

19. Do you believe your lawyer has effectively assisted you in this case and are you satisfied with his/her advice? YES NO

20. Do you wish to change your plea of not guilty to guilty and give up your right to a jury trial and all other previously explained constitutional rights? YES NO

21. Is there a plea agreement? YES NO
If YES, what is your understanding of the plea agreement? _____

22. Do you understand the Court is not bound by any agreement or recommendation and if the Court does not accept the plea agreement, you have the right to withdraw your plea of guilty? YES NO

23. Do you understand that if there is no plea agreement the Court can sentence you within the range of punishment stated in question 13? YES NO

24. What is/are your plea(s) to the charge(s) (and to each one of them)? _____

25. Did you commit the acts as charged in the Information (or to which you are entering a plea(s) today)? YES NO

State the factual basis for your plea(s): On or about the ____ day of _____, 20 ____, in Canadian County: _____

26. Have you been forced, abused, mistreated, or promised anything by anyone to have you enter your plea(s)? YES NO
27. Do you plead guilty of your own free will and without any coercion or compulsion of any kind? YES NO
28. Do you have any additional statements to make to the Court? YES NO
29. Is there any legal reason you should not be sentenced now? YES NO

HAVING BEEN SWORN, I, the Defendant whose signature appears below, make the following statements under oath:

1. *Check one:*

- _____ a). I have read, understood and completed this form.
- _____ b). My attorney completed this form and we have gone over the form. I understand the contents.
2. I have fully understood the questions that have been asked. My answers contained herein have been freely and voluntarily given. The answers contained herein are true and correct.
3. I understand that I may be prosecuted for perjury if I have made false statements in this document.

DEFENDANT

I acknowledge this _____ day of _____, 202__.

JUDGE OF THE DISTRICT COURT

I, the undersigned attorney for the Defendant, believe the Defendant understands the nature, purpose and consequence of this proceeding. (S)He is able to assist me in formulating any defense to the charge(s). I am satisfied that the Defendant's waivers and plea(s) of guilty are voluntarily given and he/she has been informed of all legal and constitutional rights. I obtained _____ to interpret if I determined Defendant is unable to understand the English language. I have read and fully explained to the Defendant the allegations contained in the Information and all of the questions in this form. The answers are the Defendant's answers. To the best of my knowledge and belief, the statements and declarations made by the Defendant are accurate and true and have been freely and voluntarily made.

INTERPRETER

ATTORNEY FOR DEFENDANT

PROSECUTOR'S STATEMENTS

1. The sentence recommended in question 21 is correct and is fair to the State of Oklahoma.
2. Offer of Proof (*Nolo Contendere plea*): _____

ASSISTANT DISTRICT ATTORNEY

THE COURT FINDS AS FOLLOWS:

1. The Defendant was sworn and responded to questions under oath.
2. The Defendant understands the nature, purpose and consequences of this proceeding.
3. The Defendant's plea(s) is/are knowingly and voluntarily entered and accepted by the Court.
4. The Defendant is competent for the purpose of this hearing.
5. A factual basis exists for the plea(s).
6. The Defendant is guilty as charged.
7. Sentencing or order deferring sentencing shall be: imposed instanter (); or continued until the ___ day of _____, 20__ at _____ .m.

DONE IN OPEN COURT this _____ day of _____, 202__.

JUDGE OF THE DISTRICT COURT

PART B: SENTENCE ON PLEA

DEFERRED SENTENCE

THE COURT ORDERS:

1. The sentencing date is deferred until _____, 20____, at _____ .m.
2. You are ordered to serve the first _____ days/weekends/months in the Canadian County Jail.
3. You will receive _____ credit for time served *or* _____ no credit for time served.
4. You will/will not be supervised. The terms set forth in the Rules and Conditions of Probation shall be the rules you must follow during the period of deferment.

SUSPENDED SENTENCE OR SUSPENDED AS TO PART

THE COURT ORDERS:

1. You are sentenced to imprisonment in the Canadian County Jail for a term as follows:
 - a. _____
 - b. _____
 - c. _____

_____ ALL SUSPENDED *OR*

_____ SUSPENDED EXCEPT to the first _____ days/weekends/months.

You will receive _____ credit for time served *or* _____ no credit for time served.

2. These sentences are to run _____ concurrently *or* _____ consecutively with each other and/or with Case Number(s) _____.
3. You will/will not be supervised. The terms set forth in the Rules and Conditions of Probation shall be the rules you must follow during the period of suspension.

TIME TO SERVE

THE COURT ORDERS:

1. You are sentenced to imprisonment in the Canadian County Jail for a term as follows:
 - a. _____
 - b. _____
 - c. _____
2. You will receive _____ credit for time served *or* _____ no credit for time served.
3. These sentences are to run _____ concurrently *or* _____ consecutively with each other and/or with Case Number(s) _____.

FINES AND COSTS

You are to pay fine(s), costs, fees and/or restitution to the Canadian County District Court Clerk as set out in Addendum E, which is attached and made a part of this Order.

NOTICE OF RIGHT TO APPEAL

To appeal from this conviction or order deferring sentence on your plea of guilty, you must file in the District Court Clerk's Office a written Application to Withdraw your Plea of Guilty within ten (10) days from today's date. You must set forth in detail why you are requesting to withdraw your plea. The trial court must hold a hearing and rule upon your Application within thirty (30) days from the date it is filed. If the trial court denies your Application, you have the right to ask the Court of Criminal Appeals to review the District Court's denial by filing a Petition for Writ of Certiorari within ninety (90) days from the date of the denial. Within ten (10) days from the date the application to withdraw plea of guilty is denied, notice of intent to appeal and designation of record must be filed pursuant to Oklahoma Court of Criminal Appeals Rule 4.2(D). If you are indigent, you have the right to be represented on appeal by a court appointed attorney.

Do you understand each of these rights to appeal? YES NO

I ACKNOWLEDGE AND UNDERSTAND MY RIGHTS AND THE SENTENCE IMPOSED.

DEFENDANT

I, the undersigned attorney, have advised the Defendant of his/her appellate rights.

ATTORNEY FOR DEFENDANT

DONE IN OPEN COURT, with all parties present, this ____ day of _____, 202__.

ASSISTANT DISTRICT ATTORNEY

JUDGE

ATTORNEY FOR DEFENDANT

NAME OF JUDGE TYPED OR PRINTED

ADDENDUM "E"
FINE AND COSTS

THE COURT ORDERS THE DEFENDANT TO PAY ALL ACCRUED FINES, FEES AND COURT COSTS AS ASSESSED, TO INCLUDE THE FOLLOWING:

CASE NUMBERS/COUNTS:

(a)	(b)	(c)	(d)	(e)	(f)	(g)
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FINES:

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V.C.A.:

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LAB FEE:

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O.I.D.S. FEE:

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DNA FEE:

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OTHER FEE:

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COURT REPORTER PRESENT _____ **WAIVED**

ALL FINES, FEES AND COSTS ARE DUE ON DATE OF PLEA OR AS PER RULE 8 ORDER.

JUDGE OF THE DISTRICT COURT