



STATE OF ARIZONA, Plaintiff -vs-	CRIMINAL GUILTY/NO CONTEST PLEA BY MAIL Case/Complaint # _____
Defendant (Print your full legal name) _____	

I have a copy of the criminal complaint in this case. I have read, and I understand the charges filed against me.

I admit that if my case went to trial, the facts would support the charges.

I understand that the range of penalties for misdemeanor and petty offenses are as follows:

Class 1 misdemeanor: a suspended sentence up to a \$2500 fine, 6 months jail, and/or 3 years probation, plus surcharges and fees.

Class 2 misdemeanor: a suspended sentence up to a \$750 fine, 4 months jail, and/or 2 years probation, plus surcharges and fees.

Class 3 misdemeanor: a suspended sentence up to a \$500 fine, 30 days jail, and/or 1 year probation, plus surcharges and fees.

Petty offense: a suspended sentence up to a \$300 fine, plus surcharges and fees.

Certain charges carry mandatory probation. I exercise my right to reject probation.

If I am convicted of a future offense, this case may be used to increase a penalty on the new offense.

If I was on probation or parole at the time this offense occurred, pleading guilty or no contest may result in a petition to revoke my probation or parole and could include additional incarceration.

I know that if I am not a citizen of the United States, pleading guilty or no contest to a crime may affect my immigration status. Admitting guilt may result in deportation even if the charge is later dismissed. My plea or admission of guilt could result in deportation or removal, could prevent me from ever being able to get legal status in the United States, or could prevent me from becoming a United States citizen.

I understand that by entering my plea of guilty or no contest by mail I am giving up the following constitutional rights:

- a. The right to plead not guilty and to require the State to prove guilt beyond a reasonable doubt.
- b. The right to a trial, and depending on the charge(s) against me, a right to a trial by jury.
- c. The right to assistance of an attorney at all stages of the proceeding, including appeal. If I cannot afford one, I may be eligible for a court-appointed attorney at a reduced cost or at no cost.
- d. The right to confront the witnesses against me and to cross-examine them as to the truthfulness of their testimony.
- e. The right to present evidence in my own behalf and to have the court compel my chosen witnesses to appear and to testify free of charge.
- f. The right to remain silent, not to incriminate myself, and to be presumed innocent unless/or until proven guilty beyond a reasonable doubt.
- g. The right to a direct appeal.

My plea is voluntary and not the result of force, threat, or promises.

I understand that I may file a petition for post-conviction relief in accordance with Rule 32 of the AZ Rules of Criminal Procedure, and if it is denied I may file a petition for review.

I give up the right to be present at the time of sentencing. I would like the court to consider the following information in determining an appropriate sentence (attach additional pages if needed):

Oath & acknowledgement. I swear or affirm that have read, truthfully answered and not misrepresented information contained in this plea under penalty of perjury. I understand that the court will determine the sentence and mail a copy of its judgment to me. I will be responsible for fulfilling the penalties and the sentence imposed by the court.

Dated: _____ Defendants Signature _____

(Address) _____

(City) _____ (State) _____ (Zip Code) _____



**WRITTEN WAIVER OF ARRAIGNMENT AND ENTRY OF
GUILTY/ NO CONTEST PLEA**

**PURSUANT TO ARIZONA RULES OF PROCEDURE FOR
TRAFFIC AND BOATING CLASS, RULE 8(B)**

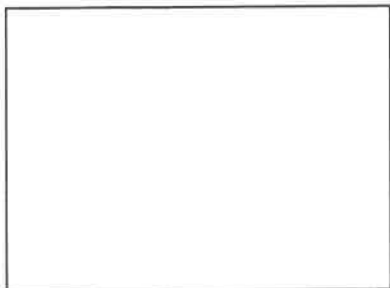
I understand that by expressing my desire to plead guilty/ no contest and to have my case resolved through the mail I am waiving certain rights that are guaranteed to me under both the United States Constitution and the Constitution for the State of Arizona. I acknowledge, understand, and agree to waive or give up, for my charge(s), the following rights:

1. My right to an initial appearance and arraignment where my charges would be read to me, my constitutional rights explained to me, a plea of "not guilty" would be entered on my behalf, and a decision on whether I was entitled to have a court-appointed attorney represent me. (Please note, a person is not entitled to a court-appointed attorney unless they are unable to afford an attorney *and* they are facing a likelihood of incarceration. If you are being offered the opportunity to plead guilty by mail, you are not facing a likelihood of incarceration if you plead guilty, and are therefore not eligible for a court-appointed attorney).
2. My right to remain silent, my privilege against self-incrimination, and the right to refuse to testify against myself.
3. My right to a trial, and a trial by jury if in fact I had one under Arizona law, and the right to have an attorney represent me.
4. My right to confront and cross-examine witnesses who testify against me, my right to have subpoenas issued for my witnesses so they could attend my trial and testify on my behalf, my right to represent other evidence and to testify if I chose to do so.
5. My right to appeal my conviction.
6. **I have had a law enforcement officer from my state certify that I have appeared for a thumb print by signing below***

I further understand that once the Court accepts my plea I cannot change my mind or withdraw from my plea unless I file a petition for post-conviction relief within 90 days of the court's acceptance of my plea. I must prove that a terrible injustice would occur if I were forced to keep my plea of guilty. If the court denies my petition I have the right to request review of that denial from the judges in Coconino County Superior Court, but that review may or may not be granted.

I further acknowledge that the maximum penalties that may be imposed for a class one misdemeanor is a fine up to a maximum of \$2500.00 plus an 80% surcharge, supervised probation for up to three years, and incarceration for up to six months. I further agree that this plea is made voluntarily and of my own free will, and that I am not under any threat of force or compulsion to plead guilty. Finally, I admit that I am the person named in the complaint, that jurisdiction lies with the Court, and that I do not contest the facts as stated in the complaint.

DATE



Defendant's Thumb Print
Right/ Left (please specify)

SIGNATURE OF DEFENDANT

ADDRESS

CITY, STATE, ZIP

DATE OF BIRTH

SOCIAL SECURITY NUMBER

***SIGNATURE OF LAW ENFORCEMENT OFFICER**

PRINTED NAME/ BADGE#/AGENCY

*I certify that I affixed the thumbprint of the above referenced defendant to this document and it was signed by the defendant in my presence.

STATE OF ARIZONA -vs- Plaintiff Defendant
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[CASE/COMPLAINT NO.]

NOTICE OF RIGHT TO COUNSEL AND WAIVER

READ THE ENTIRE FORM CAREFULLY BEFORE SIGNING IT

You have elected to proceed without an attorney either because:

- you do not want an attorney,
- the Court has determined that you are not entitled to a court-appointed attorney and you choose not to retain one.

The purpose of this form is to notify you of your right to an attorney, of the ways in which an attorney can be important to you in this case, and also to allow you to give up your rights if you so choose.

I understand that I am charged with the following crime(s) under the laws of Arizona:

- _____ which is a class ___ felony misdemeanor CV Traffic
- _____ which is a class ___ felony misdemeanor CV Traffic
- _____ which is a class ___ felony misdemeanor CV Traffic
- _____ which is a class ___ felony misdemeanor CV Traffic
- _____ which is a class ___ felony misdemeanor CV Traffic

I understand that if I am found guilty, I can be given a severe punishment, including incarceration in the Arizona State Prison, in the Coconino County Jail, a fine, or other penalty.

I understand that under the Constitutions of the United States and the State of Arizona, I have the right to be represented by an attorney at all critical stages of this criminal case: before trial, at trial itself, during proceedings to determine what sentence should be imposed if I am found guilty, and for an appeal. I understand that, for certain offenses, if I am unable to obtain the services of an attorney without incurring substantial hardship to myself or to my family, one will be appointed for me at a reduced cost or at no cost to me.

I understand that the services of an attorney can be of great value, for example: in determining if 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 the lawfulness of any search, seizure or police questioning; if an act I may have committed actually amounts to the crime for which I am charged; if I have any other valid defense to the charges; if I am found guilty, whether I should be placed on probation, be required to pay a fine, or be sentenced to a term of incarceration; or if appellate review would be justified. I understand that, if I am found guilty of the offense charged, the Court may sentence me to a term of incarceration, even though I have given up my right 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 or by hiring my own attorney. I also understand that I will not be entitled to repeat any part of the case already held or to delay scheduled court proceedings based solely on changing my mind about having an attorney.

CERTIFICATION AND WAIVER

I certify that I have read and understand all of the above, and I hereby waive my right to an attorney in this case, and to have an attorney appointed at a reduced cost or at no cost to me, for eligible offenses, if I cannot afford one.

DO NOT SIGN THIS FORM UNLESS YOU HAVE READ IT COMPLETELY, OR HAD IT READ TO YOU AND UNDERSTAND IT FULLY.

DO NOT SIGN THIS FORM IF YOU WANT AN ATTORNEY.

Dated _____ Defendant _____ Interpreter _____

FINDING

After advising the defendant of the dangers and disadvantages of self-representation, the Court finds that the defendant's waiver of counsel is knowing, voluntary, and intelligent.

Dated _____ Judicial Officer's Signature _____