

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS**

STATE OF OREGON

Plaintiff,

v.

Defendant.

CASE NO. _____

PETITION TO ENTER PLEA OF GUILTY / NO CONTEST

1. RIGHTS

I know I can plead NOT GUILTY and go to trial on any charges. If I plead guilty, I give up all of the following rights:

- (1) to have a speedy trial,
- (2) to have a trial by jury, or if I choose not to have a jury, a trial by a judge
- (3) face and question all witnesses called against me,
- (4) to force evidence in my favor to be brought forward and force witnesses to testify on my behalf,
- (5) to have a lawyer help me at all times during my case if I have decided to represent myself and,
- (6) to testify for myself, but if I do not testify, I can choose to have the jury told that my silence cannot be used against me,
- (7) to make the District Attorney prove my guilt and all sentence enhancement facts beyond a reasonable doubt.

2. My full true name is: _____ . I am also known as: _____

I wish to plead guilty to and admit I did commit the following crime(s): _____

3. NO ONE HAS THREATENED ME OR PROMISED ME ANYTHING TO PLEAD GUILTY.

I know the District Attorney may recommend a sentence and that I, or my attorney, may recommend a sentence. I know the judge is not required to follow anyone's recommendation, and it is possible that I could receive the maximum sentence. I have been told the District Attorney will recommend the following sentence (complete if applicable):

4. I understand the possible maximum sentence and the sentencing guidelines presumptive sentence for my crime(s) is:

COUNT #	CHARGE	GRIDBLOCK	MAXIMUM SENTENCE	REQUIRED MINIMUM

5. I understand that certain factors may affect the length of my sentence and that the court may depart from the sentencing guidelines presumptive sentence and order that this sentence be served consecutively to any other sentence (please specify): _____

In addition to the sentence imposed, I understand that there may be other significant consequences if I enter a "guilty" plea, including but not limited to: the loss of my right to use, possess, receive, ship, or transport and firearm or firearm

ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230; or prohibition from leaving the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision; and/or _____

6. PAROLE/PROBATION

I understand that if I am on parole or probation, a conviction in this case could cause my probation or parole to be revoked and I could receive an additional sentence because of this plea.

I am not on probation or parole for any crimes. I am on probation or parole for the crime(s) of: _____

7. REINSTATEMENT OF CHARGES

I understand that if I withdraw or if a court later reverses, vacates, or sets aside my plea of "Guilty" or "No Contest" in this case, the court will reinstate any charge(s) that were dismissed in return for my plea and the district attorney no longer will be bound by any promises made to me in exchange for my plea. If the court reinstates the charge(s), I waive the statute of limitations and any statutory or constitutional speedy trial or double jeopardy rights applicable to the dismissed charges.

8. AGE, EDUCATION, CITIZENSHIP

I am _____ years old. I have gone to school through _____. I am not under the influence of intoxicants.

I understand that if I am not a citizen of the United States, a criminal conviction could cause me to be deported, denied United States citizenship, or refused the right to re-enter the United States.

9. WAIVER OF WAITING PERIOD BEFORE SENTENCING

After pleading guilty, I understand that I have the right to wait 48 hours before being sentenced.

I wish to be sentenced immediately. I wish to exercise my right to wait 48 hours before being sentenced.

10. STATEMENT OF VOLUNTARY PLEA OF GUILTY

If represented by a lawyer, I have told my lawyer all the facts I know about the charge against me. My lawyer has advised me of the nature of the charge and the defenses, if any, that I have in this case. I am satisfied with the advice and help my lawyer has given me. I RECOGNIZE THAT IF I HAVE BEEN TOLD BY MY LAWYER THAT I MIGHT RECEIVE PROBATION OR A LIGHT SENTENCE THIS IS MERELY HIS/HER PREDICTION AND IS NOT BINDING ON THE COURT.

I offer my plea of "guilty" voluntarily, intelligently and knowingly, of my own accord and with full understanding of all the matters set forth in the charging instrument and in this petition and in the certificate of my lawyer which follows.

SIGNED: _____ DATED: _____

STREET ADDRESS: _____

CITY, STATE: _____ ZIP: _____ PHONE: _____

11. CERTIFICATE OF COUNSEL

I have reviewed with the defendant this petition, the facts for this case, all discovery, applicable law, possible sentences, possible lesser-included offenses contained in the charging instrument, defenses and motions and believe there is factual basis for the defendant's plea of guilty. To my knowledge, the plea is being freely and voluntarily entered.

SIGNED: _____ DATED: _____

PRINTED NAME OF ATTORNEY: _____ BAR NO.: _____

12. CERTIFICATE OF INTERPRETER

I declare that I am the court appointed interpreter of record for the above named defendant. I have sight translated this form to the defendant.

SIGNED: _____ DATED: _____

PRINTED NAME OF INTERPRETER: _____