FOR COURT USE ONLY SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO **Traffic Department, Central Division** 2317 Tuolumne Street Fresno, California 93721 PLAINTIFF: PEOPLE OF THE STATE OF CALIFORNIA **DEFENDANT:** CASE NUMBER: **INFRACTION ADVISEMENT, WAIVER OF RIGHTS** AND PLEA FORM I understand the nature of the charges against me and I request to withdraw my plea(s) of not guilty and plead GUILTY NO CONTEST to the following violation(s): **RIGHT TO AN ATTORNEY** I understand I have the right to be represented by an attorney at all stages of the proceedings. I have had enough time to discuss my case and all possible defenses with my attorney. **CONSTITUTIONAL RIGHTS:** I understand that I am presumed innocent and the State is required to prove me guilty beyond a reasonable doubt. I also understand that I have the following constitutional rights: I understand I give up this right this right 1. The right to a speedy public COURT TRIAL. 2. The right to be CONFRONTED by WITNESSES against me; that is, to see, hear and question all witnesses against me. 3. The right to NOT INCRIMINATE MYSELF; that is, not to be compelled to testify against myself though I may testify if I choose to do so. 4. The right to PRESENT EVIDENCE at no cost to me and to have the Court issue subpoenas to bring into court all witnesses and evidence favorable to me. 5. The right to appear in court without deposit of bail for arraignment, plea and sentencing. 6. The right to request and have a court trial without deposit of bail, unless the Court orders bail. **CONSEQUENCES:** 1. If you are convicted of an infraction you may be fined, points may be placed on your DMV record and any subsequent convictions may result in increased fines. 2. You may be eligible to attend traffic school. To attend Traffic School you must pay a non-refundable administrative fee of \$67.00 PLUS the bail amount. If you are eligible and decide not to attend Traffic School, your automobile insurance may be adversely affected. One conviction in any 18-month period will be held confidential and not show on your driving record if you complete a traffic violator school program. I understand that if I want to attend Traffic School I should so advise the Court. 3. I understand that a plea of no contest will have exactly the same effect as a plea of quilty but a plea of no contest cannot be used against me in a civil lawsuit. 4. The facts on which I base my plea are: 5. I am entering my plea freely and voluntarily without fear or threat to me or anyone close to me. I declare under PENALTY OF PERJURY, under the laws of the State of California, that I have read, understood, and initialed each item above, and everything on this form is true and correct. Date: Signed:

WAIVER OF PRESENCE AND DELAY OF SENTENCING

I hereby waive my right to be present and I authorize my attorney to enter the plea on my behalf. I understand that I have the right to wait a minimum of 6 hours and up to 5 days to be sentenced. I give up this right and I agree to be sentenced at

the time the plea is entered. I authorize my attorney to accept the Court's orders and conditions on my behalf. Date: **ATTORNEY'S STATEMENT** I am the attorney of record for the defendant and have reviewed this form with my client. I have explained to the defendant his/her rights and answered all of the defendant's questions with regard to this plea. I have discussed the facts of the case with the defendant, and explained the consequences of this plea, the elements of the charge(s), and the possible defense(s). I concur with this plea and the defendant's decision to waive his/her constitutional rights. Signed: (Attorney for Defendant) Date: COURT'S FINDINGS AND ORDER The Court, having reviewed this form, accepts the defendant's plea(s) and the factual basis for the plea(s), and finds that the defendant has expressly, knowingly, understandingly, and intelligently waived his/her constitutional rights. The Court finds that the defendant's plea(s) is/are freely and voluntarily made with an understanding of the nature and consequences of the plea(s). The defendant is convicted on the basis of his/her plea(s). The Court orders this form be filed and entered on this case. Signed: (Judge of the Superior Court) Date: