

Written Plea Admonishments
_____th Judicial District Court
Collin County, Texas

Date: _____ Cause No: _____

To: _____
Defendant

Pursuant to Article 26.13 C.C.P., you are admonished in writing:

1. You are charged with the felony offense of _____ Statute: _____

2. If convicted, you face the following range of punishment:

First Degree Felony: A term of life, or any term of not more than 99 years or less than 5 years in the Institutional Division of the Texas Department of Criminal Justice, and in addition, a fine may be imposed not to exceed \$10,000.00.

Second Degree Felony: A term of not more than 20 years or less than 2 years in the Institutional Division of the Texas Department of Criminal Justice, and in addition, a fine may be imposed not to exceed \$10,000.00.

Third Degree Felony: A term of not more than 10 years or less than 2 years in the Institutional Division of the Texas Department of Criminal Justice, and in addition, a fine may be imposed not to exceed \$10,000.00.

Habitual Offender: A term of life, or any term of not more than 99 years or less than 25 years in the Institutional Division of Criminal Justice.

First Degree Enhanced: A term of life, or any term of not more than 99 years or less than 15 years in the Institutional Division of the Texas Department of Criminal Justice, and in addition, a fine may be imposed not to exceed \$10,000.00.

State Jail Felony: A term of not more than 2 years or less than 180 days in a state jail, and in addition, a fine may be imposed not to exceed \$10,000.00.

Other:

3. **Plea Agreements:** The recommendations of the prosecuting attorney are not binding on the Court. If a plea agreement does exist, the Court will inform you whether it will follow or reject the agreement in open court and before any finding on your plea. Should the Court reject any plea agreement, you will be permitted to withdraw your plea.

4. **Permission to Appeal:** If the punishment assessed does not exceed the agreement between you and the prosecutor, the Court must give permission before you can appeal on any matter in the case except for matters raised by written motion before trial or jurisdictional matters.

5. **Citizenship:** If you are not a U.S. citizen, a plea of guilty or nolo contendere may result in deportation, exclusion from admission to this country, or the denial of naturalization.

6. **Deferred Adjudication:** If the Court defers adjudicating your guilt and places you under community supervision, on violation of any condition you may be arrested and detained as provided by law. You are then entitled to a hearing limited to a determination by the Court whether to proceed with an adjudication of guilt on the original charge. No appeal may be taken from this determination. After adjudication of guilt, all proceedings, including the assessment of punishment and your right to appeal continue as if adjudication of guilt had not been deferred.

Judge Presiding

Defendant's Acknowledgment

Initials Joined by my counsel, I state that:

_____ **I understand the foregoing admonishments.**

_____ **I am aware of the consequences of my plea.**

_____ **I am mentally competent to stand trial and my plea is freely and voluntarily made.**

_____ **If my counsel was appointed, I waive and give up any time provided me by law to prepare for trial.**

_____ **I am totally satisfied with the representation provided to me by my counsel and I received effective and competent representation.**

_____ **Under Article 1.14 C.C.P. I give up all rights given to me by law, whether form, substance or procedure.**

_____ **Joined by counsel, I waive and give up my right to trial by jury in this case and my right to require the appearance, confrontation, and cross examination of the witnesses.**

_____ **I consent to oral and written stipulations of evidence in this case.**

_____ **I have read the indictment and I committed each and every element alleged.**

_____ **I waive and give up my right of confidentiality to the pre-sentence report filed in this case and agree that the report may be publicly filed.**

_____ **I am guilty of this offense and under oath, I swear that the foregoing and all testimony I give in this case are true, so help me God.**

Defendant

Sworn to and subscribed to before me by the defendant on this date.

Deputy District Clerk

Defense Counsel Certification

I join in and approve the waivers and stipulations made by the defendant; that the defendant is legally competent to stand trial; that all of the statements were freely and voluntarily made; and that the defendant's plea was freely and voluntarily entered.

Counsel for Defendant