SUPERIOR COURT OF CALIFORNIA COUNTY OF TUOLUMNE 60 North Washington Street Sonora, CA 95370 (209) 533-5563	Space below for use of Court Clerk only
The People of the State of California, Plaintiff, vs. Defendant.	Case Number:

WAIVER OF PERSONAL APPEARANCE;
CONSENT TO ENTRY OF PLEA OF GUILTY BY COUNSEL;
WAIVER OF RIGHTS AND PLEA OF _____

WAIVER OF PERSONAL APPEARANCE

The undersigned defendant, having been advised of his/her right to be present at all stages of the proceedings, including when the case is set for trial, when a continuance is ordered, when a plea is entered at the time of trial or sentencing, when a motion for reduction of bail or for a personal recognizance release is heard, when a motion to reduce sentence is heard and when questions of law are presented to or considered by the court, hereby requests that the court proceed during every absence of his/hers which the court may permit pursuant to this waiver; and hereby agrees that his/her interests will be deemed represented at all times by the presence of his/her attorney the same as if the defendant his/herself were personally present in court and further agrees that notice to his/her attorney that his/her presence in court on a particular day at a particular time as required will be deemed notice to him/her of the requirement of his/her appearance at the time and place.

CONSENT TO ENTRY OF PLEA OF GUILTY BY COUNSEL

I, _____, having waived my personal appearance in these proceedings and electing to appear by counsel pursuant to Penal Code section 977 (a), hereby authorize my attorney, _____, to enter a plea of guilty to a violation of section(s) _____ of the California _____ Code.

WAIVER OF RIGHTS AND PLEA OF GUILTY

_____ 1. I understand that I am charged by complaint with the following misdemeanor violation(s):
_____

_____ 2. I understand the charges pending against me.

_____ 3. I understand that as to the misdemeanor charges, I have the right to a speedy, public jury trial on these charges. At that trial, I would be presumed innocent, and I could not be convicted unless 12 impartial jurors were convinced of guilt beyond a reasonable doubt. At the trial, I would have the right to confront and to cross-examine all witnesses testifying against me. I would also have the right to have the court issue subpoenas to bring into court all witnesses and evidence favorable to me, at no cost to me.

_____ 4. I understand that I have the right to remain silent, and not incriminate myself, and the right to testify in my own behalf. I understand that by pleading guilty or no contest, I am incriminating myself.

_____ 5. Understanding all this for all charges pending against me, I give up the following rights:

_____ (a) my right to a jury or court trial;
_____ (b) my right to remain silent;
_____ (c) my right to confront and cross-examine witnesses;
_____ (d) my right to subpoena witnesses in my own behalf.

_____ 6. I have discussed this case and my plea with my attorney. We discussed the facts of the case, the possible pleas and defenses, my legal rights, and the possible consequences of my plea.

_____ 7. I understand my sentence will be determined by the Judge. I waive formal arraignment for judgment, and I waive time for sentencing.

_____ 8. I understand the maximum penalty for a violation of section _____ is
_____
_____.

_____ 9. I understand the indicated judgment of the court for the violation of section _____ is _____
_____.

_____10. I am pleading guilty to Count _____ of the complaint freely and voluntarily and not because of any threat or promise made to me or anyone else.

_____11. I hereby plead guilty to Count _____ of the complaint in this action, alleging a violation of section _____ of the California _____ Code.

DATED: _____ SIGNED: _____

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant. I have gone over the form with my client. I have explained each of the defendant's questions in regard to this plea. I have discussed the facts of defendant's case with the defendant, and explained the consequences of this plea, the elements of the offenses, and the possible defenses. I concur in this plea and the defendant's decision to waive constitutional rights.

DATED: _____ SIGNED: _____

COURT'S FINDING AND ORDER

The Court, having read the above form and accepted the defendant's plea through his/her attorney, finds that defendant has knowingly, understandingly, and intelligently waived his/her constitutional rights; that the defendant's pleas are freely and voluntarily made with an understanding of the nature and consequences thereof. The Court accepts defendant's plea of guilty/no contest to Count _____ of the complaint and the defendant is convicted on his/her plea.

This form is ordered filed.

DATED: _____ _____

JUDGE OF THE SUPERIOR COURT