

IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI
DIVISION _____

STATE OF MISSOURI,)
) Plaintiff,)
))
) vs.) Case Number _____
))
_____,)
Defendant (Print full name))

In case the court has questions/ or needs to make contact, please provide:

Email:

Phone #:

**WAIVER OF APPEARANCE, WAIVER OF COUNSEL,
AND PLEA OF GUILTY**

I hereby enter a **plea of guilty** to the following charge(s):

Count 1 _____ Class ____ Misdemeanor
Count 2 _____ Class ____ Misdemeanor
Count 3 _____ Class ____ Misdemeanor

I waive my right to appear in person in court and request the case proceed in my absence.

I understand the nature of the charge(s) to which I am pleading guilty and I acknowledge that there is a factual basis for pleading guilty.

RANGE OF PUNISHMENT

Misdemeanors are offenses defined by statute and punishable by a fine and/or county jail time for up to one year plus court costs. Misdemeanors are further classified by the amount of incarceration time which can be imposed by a judge. Misdemeanor classifications:

- Class A Misdemeanor – up to one year in jail and/or a fine not to exceed \$2,000.00.
- Class B Misdemeanor – up to six months in jail and/or a fine not to exceed \$1,000.00.
- Class C Misdemeanor – up to fifteen days in jail and/or a fine not to exceed \$750.00.
- Class D Misdemeanor – a fine not to exceed \$500.00.
- Unclassified Misdemeanor – found in applicable Missouri statute.
- Infraction – fine only.

RIGHT TO AN ATTORNEY / COUNSEL

I understand that I have a right to be represented by an attorney at every stage of the proceedings against me and, if I qualify as indigent by the judgment of the court, and if Jail is a possibility, then an attorney will be appointed to represent me. I state to the court, I have either sought and received advice of counsel before entering this plea or I acknowledge the right to do so and waive such right.

RIGHT TO TRIAL AND RIGHTS AT TRIAL

I understand that I have a right to plead NOT GUILTY and persist in that plea of not guilty and that I am presumed innocent unless and until I am found guilty or plead guilty.

I understand that I have a right to a trial by court (judge) or by jury, if I should so choose. The Prosecuting Attorney has the burden of proving my guilt beyond a reasonable doubt, and that the jury would have to be unanimous in their finding of guilty in order for me to be convicted.

I understand that at a trial I would have the right to assistance of counsel, the right to confront and cross-examine witnesses who testify against me, the right to subpoena witnesses to testify in my defense, and the right to not be compelled to incriminate myself (right to remain silent).

I understand that by entering this plea of guilty I waive the right to trial. There will not be a further trial of any kind, and there is no right to appeal a finding of guilty based upon a plea of guilty.

I waive the rights mentioned above and request that the court and prosecuting attorney agree that I need not be present in court and that the case proceed in my absence on this plea.

I understand that there may be collateral consequences of my guilty plea including that the Missouri Department of Revenue License Bureau will be notified of all convictions involving driving violations which will result in applicable points being assessed against my license.

I am entering this plea of guilty voluntarily and of my own free will and not as the result of force of threats or promises (other than any plea agreement that may have been entered with the prosecuting attorney and which is not binding on the judge – if this plea is not accepted by the court, then I may be required to appear at a future court date).

X_____

Defendant (SIGNATURE)

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

The (Assistant) Prosecuting Attorney hereby consents to hearing this cause in the absence of the defendant in order to accept this written plea of guilt.

Prosecuting Attorney for Cole County

The Judge of this Court hereby accepts this cause being heard on the written guilty plea and excuses the personal appearance of the defendant.

Judge