

**IN THE GENERAL SESSIONS COURT FOR DAVIDSON COUNTY, TENNESSEE
DIVISION _____**

STATE OF TENNESSEE

VS.

)
)
)
)
)

DOCKET NO. _____

PETITION TO ENTER PLEA OF GUILTY

Comes now the Defendant, and respectfully moves this Court to allow him/her to enter a plea of "GUILTY" as set forth below. In support of this motion, the Defendant states as follows:

1. My full name is _____. I am the same person named in the charging instrument(s).
2. I am not currently under the influence of any drugs, alcohol or medication.
3. I have reviewed a copy of the charging instrument(s), and discussed those charges, including the facts known to me, with my attorney. I believe he/she is fully informed about my case, and I understand the charges, the possible punishments, and any defenses I may have to the charges.
4. I understand that I am presumed innocent, and I may plead "NOT GUILTY" or "GUILTY" to any charge against me.
5. I further understand the Constitution guarantees to me the following rights:
 - a. The right to remain silent and not to testify;
 - b. The right to a speedy and public trial by jury, the right to counsel at that trial, and the right to have the State prove my guilt beyond a reasonable doubt;
 - c. The right to confront and cross-examine all witnesses called to testify against me;
 - d. The right to produce evidence, including attendance of witnesses, in my defense;
 - e. The right to appeal my case to a higher court.
6. I understand that by pleading "GUILTY," I give up these rights.
7. In return for my guilty plea, the STATE has agreed to recommend the sentence(s) set forth below. Other than this recommendation, no one, including my attorney, has promised me anything in return for my guilty plea, nor has anyone forced or threatened me to plead "GUILTY." [set out plea bargain agreement with State]

8. Because I am GUILTY and make no claim of innocence, I wish to plead GUILTY in reliance on the above plea bargain agreement with the State. In doing so, I understand the Court can reject this agreement. In that event, the Court will allow me to withdraw my GUILTY plea and go to trial. However, should I decide not to withdraw my GUILTY plea, I understand the Court may impose any punishment within the range allowed by law, including a harsher sentence than my original plea agreement.
9. I understand that my GUILTY plea in this case will result in a permanent conviction on my record. I further understand that as a result of this conviction, I may be subject to greater/enhanced penalties if convicted of any future criminal offenses. Finally, I understand that if am not a United States citizen, my GUILTY plea may have an effect upon my immigration or naturalization status, and my attorney has advised me about the immigration consequences of this plea. I understand the complete terms of this plea and all the obligations it imposes upon me.

Signed in open court in the presence of my attorney this _____ day of _____, 20_____.

Defendant's Signature

Interpreter, _____, acknowledges he/she interpreted this form for the defendant on the above date foregoing in their native language.

CERTIFICATE OF DEFENDANT'S COUNSEL

The undersigned, as attorney for the defendant, _____, hereby certifies as follows:

1. I have read and fully explained to the defendant the charge(s) against him/her as set out in the charging instruments. I have discussed with the defendant his/her knowledge of the facts and circumstances surrounding the charge(s). I have also discussed all possible defenses with the defendant.
2. To the best of my knowledge and belief each statement set forth in the foregoing petition is in all respects accurate and true.
3. The plea of "GUILTY" as offered by the defendant in paragraph 7 of the foregoing petition accords with my understanding of the facts as related to me by the defendant.
4. In my opinion, the defendant's waiver of his/her constitutional and statutory rights is voluntarily and knowingly made, and I recommend to the Court that the plea of "GUILTY" be now accepted and entered on behalf of the defendant as requested in paragraph 7 of the foregoing petition.
5. I have explained to the defendant any/all potentially applicable forms of alternative sentencing, including probation.
6. I have read the foregoing Petition to Enter a plea of Guilty to the defendant and/or discussed each provision with him/her in detail.
7. If the defendant is not a United States citizen, I have advised him/her about the potential immigration consequences of this plea.

Signed by me in the presence of the defendant, this the _____ day of _____, _____.

ATTORNEY FOR DEFENDANT

CERTIFICATE OF DISTRICT ATTORNEY GENERAL

I, _____, am the Assistant District Attorney General assigned to represent the State in the subject case. I certify that I have read the recommendation for the guilty plea and punishment set forth in paragraph seven (7) in the foregoing Petition To Enter Plea of Guilty, and find that it accurately states the terms and scope of the agreement.

ATTORNEY FOR STATE

 For ADA accommodations please contact Gina Fox at 862-5199