

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
FELONY PLEA FORM**

People v. \_\_\_\_\_ Case Number \_\_\_\_\_

**A. ADVISEMENT OF RIGHTS:**

- \_\_\_\_\_ 1. I have the right to a speedy and public trial by a judge or jury.
- \_\_\_\_\_ 2. At my trial, I have the right to face and cross-examine any witnesses against me.
- \_\_\_\_\_ 3. I have the right to ask the court to compel witnesses to attend my trial at no expense to me, and to present evidence in my defense.
- \_\_\_\_\_ 4. I have the right against self-incrimination. I cannot be forced to testify against myself, but I also have the right to testify in my own defense if I choose to do so.
- \_\_\_\_\_ 5. I have the right to be represented by a lawyer throughout my trial. If I cannot afford one, the court will appoint one to represent me at no cost to me.

**B. CONSEQUENCES OF PLEA (1 through 5 apply to everyone):**

- \_\_\_\_\_ 1. As a convicted felon, I am prohibited from owning, purchasing, receiving, possessing, or having under my custody or control any firearms, ammunition, and ammunition feeding devices, including but not limited to magazines. The court will order me to relinquish all firearms in the manner provided in Penal Code section 29810. I acknowledge receipt of the Prohibited Persons Relinquishment Forms.
- \_\_\_\_\_ 2. Charges and/or enhancements may have been dismissed as part of this negotiated disposition with the District Attorney's Office. I agree that I will be ordered to pay restitution to the victim(s) of the dismissed charges and/or enhancements if the victim(s) suffered economic harm.
- \_\_\_\_\_ 3. I will be ordered to pay restitution to the victim(s) if the victim(s) suffered economic harm. I agree that the amount of victim restitution is \_\_\_\_\_. If the parties do not agree, the probation department will determine the amount. If I disagree with the amount, I must promptly request a hearing.
- \_\_\_\_\_ 4. I will be ordered to pay a restitution fine of at least \$300 and not more than \$10,000. There are several other fines and fees that will be imposed as a result of this guilty plea.
- \_\_\_\_\_ 5. If I am not a citizen of the United States, I understand that this conviction may and for certain offenses (see Immigration Consequences Addendum) **will** have the consequences of deportation, exclusion from admission to the United States or denial of naturalization pursuant to federal law. I understand I have the right to request additional time to consider my plea in light of this advisement. I have discussed the immigration consequences with my attorney and have had sufficient time to consider and discuss the immigration consequences of my plea with him/her or an immigration attorney.
- \_\_\_\_\_ 6. If I receive a state prison term, I will be placed on parole or local community supervision after completing the term. Parole or local community supervision will be for the term specified by law. Generally, parole is for up to five years and local community supervision is for up to three years. If my term of imprisonment is life, and I am ever granted parole, it may be for life. If I violate any of the terms of parole, I could be returned to state prison for up to one year per violation. If I violate any of the terms of local community supervision, I could be incarcerated in county jail for up to 180 days per violation.
- \_\_\_\_\_ 7. If I am sentenced to county jail, a portion of my term may be suspended and, upon release from jail, I may be placed on mandatory supervision. If I violate any of the terms and conditions of my mandatory supervision, I could be returned to county jail for up to the remainder of my suspended jail term.
- \_\_\_\_\_ 8. I will be required to give a DNA sample.
- \_\_\_\_\_ 9. My driving privileges will be suspended or revoked by the Department of Motor Vehicles.
- \_\_\_\_\_ 10. I understand that because I am pleading guilty to a qualifying offense, I will be ordered to register with law enforcement as a(n) \_\_\_\_\_ and that if I fail to register or to keep my registration current for any reason, new criminal charges may be filed against me. I understand that registration as a sex offender is a life long requirement.
- \_\_\_\_\_ 11. I will be required to undergo AIDS testing.
- \_\_\_\_\_ 12. Being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.
- \_\_\_\_\_ 13. I understand I am pleading to a "strike" offense or offenses and that I will be subject to increased penalties and punishments if I commit a future felony.
- \_\_\_\_\_ 14. Other \_\_\_\_\_.

**C. DEFENDANT'S STATEMENT:**

- \_\_\_\_\_ 1. All the promises made to me are written on this form, stated in open court, or enumerated in documents filed with this court.
- \_\_\_\_\_ 2. No one has made any threats to me or anyone close to me, or placed any pressure of any kind on me in order to make me plead guilty.
- \_\_\_\_\_ 3. I understand that if I violate any of my probation terms, I could be sentenced to the maximum custody term possible under these charges as set forth under "Plea Agreement", Item 2.

- \_\_\_\_\_ 4. I have had adequate time to discuss with my attorney (1) my constitutional rights, (2) the consequences of any guilty plea, including any immigration consequences, and (3) any defenses I may have to charges against me.
- \_\_\_\_\_ 5. As part of this plea, I (circle one) do / do not waive any right to appeal that I may have.
- \_\_\_\_\_ 6. Factual Basis: I agree that I did the things that are stated in the charges that I am admitting.

**D. PLEA AGREEMENT:**

1. I will enter a guilty plea to the following charges and enhancements:

\_\_\_\_\_  
\_\_\_\_\_.

The Prosecutor will dismiss any charges and enhancements that I do not admit.

2. The maximum possible custody commitment for the admitted charges and enhancements is:

3. My guilty pleas are conditional on receiving the following considerations as to sentence:

- a) Formal probation will (circle one) be 1) denied; 2) granted; 3) decided by the court. If granted, the length of formal probation may be up to five years. If probation is granted, a suspended state prison sentence or felony county jail term (circle one) will/will not be imposed. A suspended felony county jail term may include a period of mandatory supervision for up to the remainder of the suspended jail term. The following legal restrictions apply to a decision to grant probation in this case:
- b) The custody term **will be** \_\_\_\_\_ (stip)  
The custody term shall not be **more** than \_\_\_\_\_ (top)  
The custody term shall not be **less** than \_\_\_\_\_ (floor)
- c) Other: \_\_\_\_\_
- d) Credit for time served will be \_\_\_\_\_ days actual; \_\_\_\_\_ days  4019  2933; \_\_\_\_\_ total.

**E. SIGNATURES**

**District Attorney:** The above is a correct statement of the Plea Agreement between defense and prosecution.

\_\_\_\_\_  
(DATE) (PRINT NAME) (SIGNATURE)

**Defendant:** I have read and understand this entire document and any addendums. I waive and give up all of the rights that I have initialed. I accept this plea agreement.

\_\_\_\_\_  
(DATE) (PRINT NAME) (SIGNATURE)

**Defense Attorney:** I am the attorney for the defendant. I am satisfied that (1) the defendant understands his/her constitutional rights and understands that a guilty plea would be a waiver of those rights; (2) the defendant has had an adequate opportunity to discuss his/her case with me, including any defenses he/she may have to the charge(s); (3) I have asked the defendant about his/her immigration status, advised defendant of the immigration consequences of this plea to the best of my ability, and advised defendant of his/her right to additional time to discuss this matter with an immigration attorney, and (4) the defendant understands the consequences of his/her guilty plea. I join in the defendant's plea and waiver of his/her constitutional rights.

\_\_\_\_\_  
(DATE) (PRINT NAME) (SIGNATURE)

**Interpreter:** Having been duly sworn, or having a written oath on file, certify that:  I truly sight translated this form in the \_\_\_\_\_ language; or  I interpreted the attorney/client communication regarding this form in the \_\_\_\_\_ language. The defendant has stated that he/she fully understood the contents of the form prior to signing.

\_\_\_\_\_  
(DATE) (PRINT NAME) (SIGNATURE)

**F. COURT'S FINDINGS AND ORDER:**

The Court, having reviewed this form and any addendums and having questioned the defendant finds that: the defendant has expressly, knowingly, intelligently and understandingly waived his/her constitutional rights; the defendant's plea and admissions are freely and voluntarily made; the defendant understands the nature of the charges and the consequences of the plea and admissions and there is a factual basis for the plea. The Court accepts the defendant's waiver of rights, the plea and admissions and the defendant is thereby convicted.

\_\_\_\_\_  
(DATE) (JUDGE'S SIGNATURE)