

IN THE COUNTY / CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
SARASOTA, MANATEE, DESOTO COUNTY, STATE OF FLORIDA

STATE OF FLORIDA,
Plaintiff

vs
Defendant

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)
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CASE NO:.

VIOLATION OF PROBATION - ACKNOWLEDGMENT AND WAIVER OF RIGHTS

I, the undersigned Defendant, am admitting to the charge(s) against me, and I acknowledge the following:

1. I am admitting the charge(s) of violation of my probation to be true; specifically, I am admitting to violation of condition(s):
_____(as alleged in the Affidavit).

2. I understand that I have the right to be represented by an attorney at every stage of the proceedings and, if necessary, an attorney will be appointed to represent me. I have the right to a nonjury hearing before the Court and have the right to an attorney's help at that hearing. I have the right to compel attendance of witnesses on my behalf, the right to confront and cross-examine witnesses against me, and the right not to testify or to incriminate myself. I also understand that after such hearing, if the Court finds that a violation has occurred, the Court may revoke, modify, or continue probation. If revoked, the Court may adjudge me guilty of the original offense, if not previously done, and impose any sentence up to the maximum allowed by law for the original offense.

3. I understand that by admitting to the charge(s) of violation of probation, I am giving up my right to a violation of probation hearing, based on the understanding that the Court will sentence me as provided in paragraph 6, below.

4. I understand that by admitting to the charge(s) of violation of probation, I give up the right to appeal prior rulings of the court, unless expressly reserved on the record, and I admit that there is a factual basis to support the violation of probation charge(s) to which I am pleading, and I feel this plea is in my best interest. I also am giving up the right to have motions filed, witnesses interviewed, and present any defense I may have to the charges.

5. I understand that no part of the time that I have been on probation shall be considered as any part of the time that I shall be sentenced to serve.

6. I understand that if the Court accepts my admission to the violation(s) listed in Paragraph 1, my sentence will be:

7. Other than the proposed sentence set out in Paragraph 6, no one has made any promises or guarantees to me, nor in any way forced or threatened me to enter this plea. I am doing this freely and voluntarily.

8. I UNDERSTAND THAT THE DEPARTMENT OF CORRECTIONS IS SOLELY RESPONSIBLE FOR AWARDED GAIN TIME OR ANY TYPE OF EARLY RELEASE. ANY INFORMATION I HAVE RECEIVED CONCERNING GAIN TIME OR EARLY RELEASE IS STRICTLY AN ESTIMATE AND IT IS NOT A PART OF MY PLEA AGREEMENT.

9. I am represented by the undersigned attorney. I have discussed my case with the attorney, and any questions I have had about my case have been answered to my satisfaction. I feel that my representation has been to the best of my attorney's ability, and I am satisfied with this representation.

10. I understand I have the right to appeal the judgment and sentence of the Court within 30 days (thirty) days from the date of sentence. I understand that if I wish to make an appeal and cannot afford an attorney to help me in my appeal, the Court will appoint an attorney to represent me for that purpose.

11. If an attorney has been appointed to represent me, I understand that the Court, at the time I am sentenced, may impose a lien for attorney fees and costs. I hereby waive my right to prior notice of this assessment. I also understand that if I wish to contest the amount of any such lien, a hearing will be set within 30 days (thirty) from the date of sentencing.

12. I understand that if I am not a United States citizen, the plea may subject me to deportation pursuant to the Laws and regulations governing the United States Naturalization and Immigration Services, United States Department of Homeland Security.

13. I understand that adjudication in this case, whether withheld or not, may be used to enhance any sentence I may receive with regard to crimes, pending or future, for which I may be prosecuted.

14. I understand that my guilty plea in this case or the court adjudging me to be guilty, may be used to enhance any sentence I may receive with regard to crimes, pending or future, for which I may be prosecuted.

15. I understand that if the offense to which I am pleading is a sexually violent offense or a sexually motivated offense, or if I have been previously convicted of such an offense, this plea may subject me to involuntary civil commitment as a sexually violent predator upon completion of my sentence.

16. I understand that I may be required to pay non-mandatory court costs imposed at the discretion of the Court.

DATE: _____ DEFENDANT: : _____

ACKNOWLEDGMENT OF COUNSEL

I, the undersigned member of the Florida Bar, hereby represent to the Court that I represent the above-named Defendant, that I reviewed and explained the ACKNOWLEDGMENT AND WAIVER OF RIGHTS to the Defendant; and, to the best of my knowledge and belief, the Defendant fully understands its contents.

DATE: _____ ATTORNEY: _____