

THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF CLATSOP

STATE OF OREGON,)
 Plaintiff,)
 vs.) Case No. _____
 _____,)
 Defendant.) DEFENDANT'S PETITION TO ENTER PLEA
 OF GUILTY NO CONTEST

1. My true name is _____. I also am known as _____. I am _____ years old. I have gone to school up to and including _____ grade. My physical and mental health is satisfactory. I am not under the influence of drugs or intoxicants.

2. I understand my right to hire a lawyer or have the Court appoint a lawyer to represent me.
 I choose to give up my right to a lawyer and, knowing the risks, I will represent myself.
 I am represented by a lawyer named: _____.

3. I told my lawyer all of the facts and circumstances known to me about the charges. My lawyer has answered, to my satisfaction, all questions I have concerning my case and this petition. As far as I know, my lawyer has advised me on the nature of each charge, on lesser included charges, and possible defenses. I am satisfied with the advice and help I have received from my lawyer.

4. I wish to plead Guilty/No Contest to the charge(s) of _____

5. I understand that I may plead Not Guilty to any charges. If I choose to plead Guilty or No Contest, I give up the following rights: (a) public and speedy trial by jury at which the state would have to prove my guilt beyond a reasonable doubt; (b) to see, hear, and cross-examine in open court all witnesses called to testify against me; (c) to use the subpoena power of the court to compel the production of evidence; (d) to have the assistance of a lawyer at all stages of the proceedings; (e) to take the witness stand at my sole option and if I do not take the witness stand, the right to have the jury told that this may not be held against me.

6. I understand that if I plead Guilty or No Contest, the Court may impose the same punishment as would be imposed if I had pled Not Guilty, stood trial, and been convicted. I further understand that I give up any defenses I may have, challenges or objections to evidence, and challenges to the accusatory instrument. I further understand the right to appeal my conviction is limited by a plea of Guilty or No Contest, and I may appeal only if I can make a colorable showing of error in the disposition of my case or a colorable claim of error in the proceeding.

7. I know that if I plead Guilty or No Contest, the maximum possible sentence is _____ years imprisonment and a fine of \$_____ with additional assessments. The minimum sentence, if applicable, is _____ years imprisonment. I also know my driver's license can cannot be suspended or revoked.

8. I further understand that any felony charge is likely to be subject to the sentencing guidelines. My lawyer has discussed the sentencing guidelines with me. I know that under this system, the sentencing judge ordinarily must impose a sentence from the guidelines range. If a case involves certain factors, the law permits the judge to impose a departure sentence either above or below the guidelines range. I understand that there is no guarantee that the sentence will be imposed within the guidelines range. I also understand that the Court can impose multiple sentences to run together (concurrently) or one after the other (consecutively). I understand my presumptive guidelines classification is:

| Felony Count | Grid Block | Presumptive Sentence |
|--------------|------------|----------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

9. I understand that I have the right to have a jury make factual findings that affect the length of my sentence. I waive my right to have a jury make factual findings on all sentencing issues. I further waive my right to require the state to prove sentencing issues beyond a reasonable doubt and waive my right to confrontation on all sentencing issues.

10. The district attorney has agreed to recommend: _____

This is is not a statutory plea agreement made pursuant to ORS 135.432(2).
 This is is not an early disposition agreement made pursuant to ORS 135.405(5).

