

**IN THE CITY OF DORAVILLE MUNICIPAL COURT  
STATE OF GEORGIA**

**THE CITY OF DORAVILLE,  
STATE OF GEORGIA**

VS.

\_\_\_\_\_  
(Name)

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**CITATION NO(S):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION I – ADVISEMENT OF RIGHTS**

The following is a statement of the rights that you have in the above case(s):

- a. You have the right to enter a plea of not guilty and have a bench trial in this Court; or if the charge is a state law violation, you have a right to a jury trial. You have a right to consult with an attorney before you make this decision.
- b. You have the right to be represented by your attorney throughout the trial and at all proceedings leading to the trial. If you are indigent the Court may appoint an attorney to represent you.
- c. You are presumed innocent of the charges pending against you, and that presumption of innocence will be with you throughout the trial. The prosecution must present evidence to prove you guilty beyond a reasonable doubt.
- d. At the trial you have the right to confront the witnesses called to testify against you and to cross-examine those witnesses.
- e. You have the right to present evidence in your own defense and to compel the attendance of witnesses by subpoenas which can be obtained from the Clerk of Court.
- f. You have the right to remain silent. You also have the right to testify in your own defense. If you choose to remain silent, your silence cannot be used against you.
- g. If you are convicted, you have the right to appeal to the Superior Court of DeKalb County to review any judgments of this Court.

**SECTION II – ACKNOWLEDGMENT OF RIGHTS AND WAIVERS**

I acknowledge that I have read or had read to me and understand the advisement of rights in Section I and as outlined by the Court. I understand the nature of the charges against me.

I acknowledge that I understand my right to have an attorney represent me. I understand that an attorney can help me:

- 1. Understand the charge or charges against me;
- 2. Determine whether a legally sufficient accusation has been filed against me;
- 3. Determine whether I have any defense to the charge or charges against me. Possible defenses may include but are not limited to: Self-defense; Alibi; Misidentification; Accident; Reliance on the Presumption of Innocence; and the State's burden to prove me guilty on all elements of the charges against me beyond a reasonable doubt;
- 4. Prepare and conduct any trial held on the charges against me;
- 5. Determine what evidence is legally admissible against me;
- 6. File motions and make objections to exclude evidence which is not legally admissible against me;
- 7. Determine what evidence I would be able to present in my defense;
- 8. File motions to obtain information from the prosecution such as police reports, scientific reports, witness statements, video or audio tapes, photographs, and other documentary evidence;
- 9. Make strategic decisions as to the calling of witnesses and whether or not I should testify at trial;
- 10. Properly preserve legal issues for appeal in the event that I am convicted at trial;
- 11. Conduct plea negotiations on my behalf if I should desire to plead guilty to the charge or charges against me; and
- 12. Make sure that all of my rights as a defendant in a criminal case are protected.

I understand that I have a right to have an attorney represent me. I have considered the advantages of having an attorney represent me and have considered and understand the dangers of proceeding without the assistance of an attorney.

INITIAL YOUR CHOICE BELOW

- I am voluntarily giving up the right to have an attorney represent me, or
- It is my desire to be represented by an attorney.

I represent that I am not under the influence of any alcohol, drugs, intoxicants or medication that would interfere with my ability to understand the rights set forth in this document and as explained to me by the Court. I acknowledge that I am entering my plea freely and voluntarily and not as a result of coercion or undue influence on the part of anyone. No one has forced me, threatened me or promised me anything to enter this plea.

I understand that by entering a plea of guilty I will be waiving all of my rights outlined in Section I above, including my right to a jury trial. If I plead not guilty and elect to try my case in the Municipal Court of Doraville, I will be waiving my right to a jury trial.

I understand that the maximum penalty that may be imposed by this Court in most cases for each charge is 12 months in jail and in most cases, a \$1,000.00 fine and that in some cases I may be subject to a fine as high as \$5,000.00. I also understand that I will be advised, prior to entering my plea if this pertains to me.

I understand that the Court, as part of any sentence imposed, could place me on probation, impose a suspended sentence, or sentence me to jail. I understand that a violation of the terms of any suspended or probated sentence could, if proven, result in my being incarcerated.

I understand that if I am not a citizen of the United States this plea may have an impact on my immigration status.

**SECTION III – PLEA**

It is my desire to enter the following plea: (INITIAL YOUR CHOICE BELOW)

- GUILTY as to Citation(s) \_\_\_\_\_
- NOLO CONTENDERE as to Citation(s) \_\_\_\_\_
- NOT GUILTY as to Citation(s) \_\_\_\_\_

Signed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Defendant's name (print) \_\_\_\_\_

Defendant's signature \_\_\_\_\_

Attorney's signature (if applicable) \_\_\_\_\_

Translator's signature (if applicable) \_\_\_\_\_

**ORDER**

**THE COURT FINDS THAT THE DEFENDANT'S PLEA IS FREE AND VOLUNTARY. I HAVE ALSO DETERMINED THAT THIS DEFENDANT UNDERSTANDS HIS OR HER RIGHT TO THE ASSISTANCE OF COUNSEL AND THAT HE OR SHE VOLUNTARILY AND INTELLIGENTLY WAIVES THE RIGHT TO COUNSEL, IF NOT REPRESENTED BY COUNSEL.**

\_\_\_\_\_  
**Judge, Doraville Municipal Court**

I read the contents of this document to the Defendant.

\_\_\_\_\_  
Translator