

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT  
PUTNAM COUNTY, FLORIDA**

**STATE OF FLORIDA**

**vs.**

**CASE NO(s):** \_\_\_\_\_

\_\_\_\_\_  
**DEFENDANT** \_\_\_\_\_ /

**VIOLATION OF PROBATION PLEA AGREEMENT  
ACKNOWLEDGMENT AND WAIVER OF RIGHTS**

I, the undersigned Defendant, am entering a plea of admission to the VIOLATION OF PROBATION against me on the following charges, and I acknowledge the following:

1. I am entering an **ADMISSION** to a **VIOLATION OF PROBATION** related to the charge(s) of:

Case / Count	Description	Degree (e.g. F3; M1)	Maximum Imprisonment (Indicate if a Min. Mandatory Applies)	Maximum Fine
<input type="checkbox"/> A Continuation Sheet is enclosed and incorporated by reference:				

2. I understand that if the Court accepts my **ADMISSION** to the **VIOLATION OF PROBATION** on the charge(s) listed above, my sentence will be:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. **Waiver of Constitutional Rights:** I understand that I have the right to be represented by an attorney at every stage of the proceeding and, if necessary, an attorney will be appointed to represent me. I have the right to both a contested hearing before a Judge and an attorney's help at that hearing. At that hearing the State must prove I am guilty by a preponderance of the evidence. I have the right to compel attendance of witnesses on my behalf, and the right to see, confront, and cross-examine witnesses against me. I understand that my right not to testify or to incriminate myself at that hearing would be limited to any allegations of a new violation of the law. By admitting to the violation, I understand I am waiving my right to a hearing and **I am voluntarily waiving all of these other hearing rights.**

4. I understand that by admitting to the violation, unless I expressly reserve the right to appeal a prior ruling of the Court, I give up the right to appeal all matters relating to the Court's judgment, including the admission to the violation and the Court's adjudication. I am also giving up the right to have motions filed, witnesses interviewed, and the right to present any defenses I may have to the charges.

5. I understand the Judge may ask me questions about the violation of probation, and if I answer these questions under oath, on the record, and in the presence of my attorney, those answers could be used in any later prosecution for perjury. Unless otherwise indicated, I am waiving my right to a presentence investigation and recommendation.

6. I admit that there is a factual basis for the violations to which I am pleading. I am either factually guilty, or believe I am innocent, yet believe this plea agreement to be in my best interest. I admit to violating the following listed conditions of probation: \_\_\_\_\_

7. Unless otherwise ordered, I understand I am responsible for payment of all applicable costs as required by Chapter 938, Florida Statutes. Upon request of the State, and in discussion with my attorney, I agree to the imposition of the minimum fee of \$100 (\$50.00 for misdemeanors) for cost of prosecution and waive a hearing on this discretionary cost. If the court has appointed counsel to represent me, I understand I am liable for payment of reasonable attorney's fees, costs and application fee, pursuant to Fla. Stat. §938.29, for which a lien may be imposed. If an offense to which I am pleading is one for which an automatic, mandatory driver's license suspension or revocation is required by law to be imposed either by the court or by a separate agency, the plea will provide the basis for said suspension or revocation. I understand I may apply to the Judge for a hardship license in certain circumstances. Unless I ask the Judge, on the record, for a hardship license, I am waiving the opportunity to apply to the Judge for one.

8. Other than the proposed sentence set out above, 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. I am not currently under the influence of any substance that may affect my ability to understand this agreement of these proceedings. I do not have any untreated mental illness, to the best of my knowledge, that would keep me from understanding this plea and its consequences.

9. I understand that if my sentence includes incarceration, the Department of Corrections, or jail facility, are solely responsible for awarding gain time or any type of early release. Any information I have received concerning gain time or early release is strictly an estimate and is not a part of my plea agreement.

10. I am represented by the undersigned attorney. I have discussed my case with my attorney. Any questions I have had about my case have been answered to my satisfaction by my attorney. I believe my attorney has represented me to the best of their ability, and I am satisfied with this representation.

11. I understand that I have the right to appeal the judgment and sentence of the Court within thirty (30) days from the date of sentence. I understand that if I miss that deadline, the appeals court may deny my appeal. I understand that if I wish to appeal, and cannot afford an attorney to help me in my appeal, the Court will appoint an attorney to represent me for that purpose. I must apply for the appointment of an attorney

12. I understand that if I am not a citizen of the United States, the plea will subject me to deportation proceedings and/or detention proceedings pursuant to the federal customs and immigration laws and regulations governing the United States Department of Homeland Security.

13. I understand that my plea in this case and adjudication, 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 am unaware of the existence of any physical evidence containing DNA that could exonerate me of any of the charges to which I am pleading.

15. I understand that if any offense to which I am pleading is a sexually violent or 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.

Date: \_\_\_\_\_ Defendant's Signature: \_\_\_\_\_

**ACKNOWLEDGMENT OF ATTORNEY**

I, the undersigned member of the Florida Bar, hereby represent to the Court that I represent the above-named Defendant. I reviewed and explained the VIOLATION OF PROBATION PLEA AGREEMENT ACKNOWLEDGMENT AND WAIVER OF RIGHTS to the Defendant. To the best of my knowledge and belief, the Defendant fully understands its contents. I am unaware of the existence of any physical evidence containing DNA that could exonerate my client of any of the charges to which a plea is being entered.

Defense Counsel (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Fla. Bar No.: \_\_\_\_\_ Date: \_\_\_\_\_

**ACKNOWLEDGMENT AND ACCEPTANCE BY STATE**

I certify to the Court that I am unaware of the existence of any physical evidence containing DNA that could exonerate the defendant of any of the charges to which a plea is being entered.

Assistant State Attorney (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Fla. Bar No.: \_\_\_\_\_ Date: \_\_\_\_\_

**ORDER ACCEPTING PLEA**

The foregoing plea document was received and accepted in open court. The Defendant signed or acknowledged signing this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered and that a factual basis exists in the record for the court to accept it. The Defendant understands the nature of the charges and all of the consequences of this plea. By accepting this plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described above.

\_\_\_\_\_  
CIRCUIT JUDGE Date: \_\_\_\_\_