

_____ County

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

Name Of Defendant

TRANSCRIPT OF PLEA

DOB Age Highest Level Of Education Completed

G.S. 15A-1022

The defendant, having offered a plea of _____ and being first duly sworn, makes the following answers to the questions set out below:

Answers

- 1. Are you able to hear and understand me? (1) _____
- 2. Do you understand that you have the right to remain silent and that any statement you make may be used against you? (2) _____
- 3. At what grade level can you read and write? (3) _____
- 4. (a). Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other intoxicants? (4a) _____
- (b). When was the last time you used or consumed any such substance? (4b) _____
- 5. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge? (5) _____
- 6. (a). Have you and your lawyer discussed the possible defenses, if any, to the charges? (6a) _____
- (b). Are you satisfied with your lawyer's legal services? (6b) _____
- 7. (a). Do you understand that you have the right to plead not guilty and be tried by a jury? (7a) _____
- (b). Do you understand that at such trial you have the right to confront and to cross examine witnesses against you? (7b) _____
- (c). Do you understand that by your plea(s) you give up these and your other constitutional rights relating to a trial by jury? (7c) _____
- 8. Do you understand that, if you are not a citizen of the United States of America, your plea(s) of guilty or no contest may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law? (8) _____
- 9. (if applicable) Do you understand that upon conviction of a felony that you automatically forfeit any licensing privileges as defined by G.S. 15A-1331A for the full term:
 - (a). (FSA cases only occurring on or after May 1, 1994) of the maximum sentence of imprisonment imposed at the time of conviction if: (1) you are offered a suspended sentence on condition that you accept probation and you refuse probation, or (2) your probation is revoked or suspended and the Court makes findings that you failed to make reasonable efforts to comply with the conditions of probation. (9a) _____
 - (b). (Structured Sentencing cases committed on or after October 1, 1994) of the period you are placed on probation if: (1) your probation is revoked or suspended, or (2) (for offenses committed before 1/1/97) you are offered a suspended sentence on condition you accept probation and you refuse probation. G.S. 15A-1331A(b). (9b) _____
- 9A. (Victims Rights Act cases only) Do you understand that upon your conviction of _____ you may be ordered to pay restitution to any persons directly and proximately injured as a result of your commission of that offense, and that a civil judgment in favor of each such person may be docketed against you and will be a lien against real estate owned by you for the next ten years? (9A) _____
- 10. Do you understand that you are pleading (guilty) (no contest) to the charges shown on the attached sheet, which carry the total punishments listed? (10) _____
- 11. Do you now personally plead (guilty) (no contest)? (11) _____
- 12. (a) (if applicable) Are you in fact guilty? (12a) _____
- (b) (if applicable) Do you understand that upon your plea of no contest you will be treated as being guilty whether or not you admit your guilt? (12b) _____
- (c) (if applicable) (Alford Plea)
 - (1) Do you now consider it to be in your best interest to plead guilty? (12c1) _____
 - (2) Do you understand that upon your "Alford Plea" you will be treated as being guilty whether or not you admit that you are in fact guilty? (12c2) _____
- 13. Have you agreed to plead as part of a plea arrangement? Before you answer, I advise you that the Courts have approved plea negotiating, and if there is such, you may advise me truthfully without fear of incurring my disapproval? (13) _____

14. (if applicable) The prosecutor and your lawyer have informed the Court that these are all the terms and conditions of your plea: (See attachment for additional plea arrangements, including voluntary dismissals.) **Answers**

- (a) Is this correct as being your full plea arrangement? (14a) _____
 (b) Do you now personally accept this arrangement? (14b) _____
15. (Other than the plea arrangement between you and the prosecutor) has anyone made any promises or threatened you in any way to cause you to enter this plea against your wishes? (15) _____
16. Do you enter this plea of your own free will, fully understanding what you are doing? (16) _____
17. Do you have any questions about what has just been said to you or about anything else connected to your case? (17) _____

I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated above, if any, are accurate.

SWORN AND SUBSCRIBED TO BEFORE ME		Date
Date	Signature	Signature Of Defendant
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court		Name Of Defendant (Type Or Print)

CERTIFICATION BY LAWYER FOR DEFENDANT		
As lawyer for the defendant named above, I hereby certify that the conditions stated above, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charge(s) to which the defendant is pleading.		
Date	Name Of Lawyer For Defendant (Type Or Print)	Signature Of Lawyer For Defendant

CERTIFICATION BY PROSECUTOR		
As prosecutor for this Prosecutorial District, I hereby certify that the conditions stated above, if any, are the terms agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charge(s) in this case.		
Date	Name Of Prosecutor (Type Or Print)	Signature Of Prosecutor

PLEA ADJUDICATION		
Upon consideration of the record proper, evidence presented, answers of defendant, and statements of the lawyer for the defendant and the District Attorney, the undersigned finds that:		
<ol style="list-style-type: none"> There is a factual basis for the entry of the plea. The defendant is satisfied with his/her lawyer. The defendant is competent to stand trial and that the plea is the informed choice of the defendant and is made freely, voluntarily and understandingly. 		
The defendant's plea is hereby accepted by the Court and is ordered recorded.		
Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge

SUPERIOR COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

File No.	Count No.(s)	Offense(s)

DISTRICT COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

File No.	Count No.(s)	Offense(s)

CERTIFICATION BY PROSECUTOR

The undersigned prosecutor enters a dismissal to the above charges pursuant to a plea arrangement shown on the Transcript Of Plea attached.

Date	Name Of Prosecutor (Type Or Print)	Signature Of Prosecutor
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