

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

VS.

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:

CASE NO: \_\_\_\_\_

\_\_\_\_\_,  
Defendant

**GUILTY PLEA CHECKLIST**

1. My name is \_\_\_\_\_. I am \_\_\_\_\_ years of age and completed the \_\_\_\_\_ grade in school.

PLEASE CHECK ALL THAT APPLY:

- I can read and write the English language.  
 I am not under the influence of any drug, medication, or alcohol.  
 I am a U.S. citizen (or, if not, I understand the possible immigration consequences of this plea).

2. I understand that I am charged in this case with \_\_\_\_\_ and I could be sentenced to a maximum of \_\_\_\_\_ years and a minimum \_\_\_\_\_ years, if found guilty of these charges.

3. I am asking the Court to accept my plea of guilty recognizing the following rights:

I understand I have the right to plead not guilty or remain silent and not enter any plea. If I do so, I have the following rights:  
the right to a speedy and public trial by jury;  
the presumption of innocence;  
the chance to see, hear and question witnesses and evidence against me;  
the opportunity to cross examine any witnesses for the State;  
the burden to be placed upon the State to prove the charges beyond a reasonable doubt;  
the opportunity to subpoena any witnesses and evidence on my behalf;  
the assistance of an attorney. If I could not afford an attorney, one would be appointed to represent me at no cost to me;  
the opportunity to testify at the trial, if I so choose;  
and the right not to testify, not to incriminate myself, if I so choose.

I understand if I plead not guilty I will have a trial with all these rights

**I understand if I plead guilty, as I am doing now, I give up the right to a trial with all the rights listed above.**

4. I am represented by \_\_\_\_\_, attorney, in this case.  
 I have discussed this case with my attorney.  
 I have told him/her everything that I think he/she should know about the case.  
 I have discussed any possible defenses with my attorney.  
 I have had ample time to consider and discuss my case with my attorney.  
 after talking to my attorney, I understand the charges against me and any possible defenses I may have.  
 I am satisfied with the services of my attorney.

5. Other than the sentence recommendation that I am requesting the Court to accept,  
 No one has promised me anything to enter this guilty plea.  
 No one has threatened me in any way to enter this guilty plea.  
 No force has been used to get me to enter this guilty plea.  
 **I enter this plea freely and voluntarily.**
6. The joint sentence recommendation is: \_\_\_\_\_  
 \_\_\_\_\_  
 I agree with this recommendation and ask the Court to accept it.  
 I understand the Court is not bound by this recommendation.  
 I understand that if there is no joint recommendation, my attorney can recommend to the Court any sentence allowed by law.  
 I have reviewed the terms and conditions of the proposed sentence.  
 I agree there is a factual basis upon which the Court can accept this guilty plea.  
 I understand that I have thirty (30) days from today's date to final a Notice of Appeal in this case and I have until the end of the term of court to file a Motion to Withdraw this guilty plea. I understand that my attorney will continue to represent me until the expiration of whichever one of these time frames is longer and that I must contact my attorney if I desire to file either a Notice of Appeal or a Motion to Withdraw Guilty Plea.

(For First Offenders only) I state that I am eligible to enter this plea under the First Offender Act. I understand that if I complete this Sentence successfully I will not have a criminal conviction as a result of this guilty plea. I further understand if I violate the terms and conditions of my probation (either by committing a new crime or otherwise), I may be brought back to court, adjudicated guilty and re-sentenced up to the maximum penalty I could have received (as set out above), after giving me credit for time served and monies paid.

- Understanding all this, I am requesting to be sentenced under the First Offender Act.  
 I am NOT requesting to be sentenced under the First Offender Act.

After consultation with my attorney, consideration of the case, and review of all my rights, I hereby, freely and voluntarily, ask this Court to accept my plea of GUILTY.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 Defendant

ATTORNEY'S CERTIFICATION: I hereby certify that, after investigation and review of the relevant facts, evidence, and law in this case, I have discussed all pertinent matters with the Defendant. I have explained the maximum penalties provided by law and possible defenses. To the best of my professional knowledge and belief, the Defendant has considered the options available and is knowingly, freely, and voluntarily entering this guilty plea. I have had the above-named Defendant read (or caused to have read to him/her) this checklist and provide the answers as set forth. It is my belief that the Defendant understood and voluntarily executed this document in preparation for entering a guilty plea as set forth above. I know of no reason this Court should not accept this plea of GUILTY.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 Bar number \_\_\_\_\_.