

CAUSE NO. _____

STATE OF TEXAS

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IN THE DISTRICT COURT

v.

394TH JUDICIAL DISTRICT

_____ COUNTY, TEXAS

WAIVER OF ARRAIGNMENT

Defendant, _____, joined by Defendant's attorney of record, hereby waives formal arraignment, and states the following:

1. I know that I have the right to be formally arraigned in open court. I waive that right for all purposes.
2. I know that I have been charged by Indictment with a felony offense.
3. I reviewed the Indictment with my attorney, and I understand the charges against me.
4. I waive formal reading of the Indictment on the record by the State.
5. I am the person identified as Defendant in the Indictment.
6. My name: [MARK ONLY ONE]
 - is CORRECTLY SPELLED on the Indictment; OR
 - is INCORRECTLY SPELLED on the Indictment. My correct legal name is _____ . I authorize the Court to correct my name on the Indictment, and I agree that this case should proceed as if my name were correctly spelled at the time the Indictment was issued.
7. I hereby enter a plea of (circle only one) [NOT GUILTY / NO CONTEST / GUILTY] to the charges against me.
8. I ask the Court to accept this waiver in lieu of formal arraignment, and to waive my appearance at the arraignment hearing.
9. I understand that I will receive further notices to appear in court, and that these may provide relatively little advanced notice. I know that I am required to show up each and every time I am summoned by the Court, even if notice is short. I know that if I fail to appear when summoned my bond will be forfeited or revoked, and I may be arrested on a capias. I further understand that if my bond is forfeited or revoked, I may not be granted a subsequent bond, and may remain in jail until the charges against me are resolved.
10. With respect to my primary language: [MARK ONLY ONE]
 - I can read, write, speak and understand the English language; OR
 - I cannot read, write, speak and understand the English language. I completed and signed this document with the assistance of a _____ language interpreter. I will need an interpreter at all future hearings.

11. I am: [MARK ONLY ONE]

- an American citizen; OR
- not an American citizen; I am a citizen of the Country of _____.

Signed on the _____ day of _____ 20____, and entry requested.

DEFENDANT
Address: _____

E-mail: _____

ATTORNEY FOR DEFENDANT
SBN: _____
Address: _____
E-mail: _____

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**ORDER ACCEPTING WAIVER OF ARRAIGNMENT,
AND SETTING PRE-TRIAL HEARING AND PLEA DEADLINE HEARING**

Defendant’s Waiver of Arraignment was presented to me this the ____ day of _____, 20____. The Court finds that Defendant freely, voluntarily, knowingly and intelligently, and with the advice of counsel, waived the right to formal arraignment.

After due consideration of same, and the Court being satisfied that no harm will be done to the rights of the Defendant, the same is hereby GRANTED, and it is therefore, ORDERED, ADJUDGED AND DECREED that said Waiver of Arraignment is hereby approved and shall be entered in the records of this cause. The Court hereby accepts Defendant’s plea of NOT GUILTY for purposes of arraignment.

IT IS ORDERED that a pre-trial hearing pursuant to Article 28.01 of the Texas Code of Criminal Procedure in this case is set for _____, at _____:00 a.m. in the District Courtroom, _____ County Courthouse, in _____, Texas. Defendant and all counsel of record are ordered to appear. All timely-filed motions shall be considered at that time. Motions described in Sec. 1 of Article 28.01 of the Texas Code of Criminal Procedure not filed at least seven days prior to the hearing will not thereafter be allowed to be raised or filed, except by permission of the Court for good cause shown.

IT IS FURTHER ORDERED that the plea deadline hearing in this case is set for _____, at _____:00 a.m., in the district courtroom described above. Defendant and all counsel of record are ordered to appear. If no plea agreement is reached by this date, the plea period will close, and there will be no plea agreement; the case will be placed on the trial docket.

The Clerk is directed to mail this notice to the State, the Defendant, and Defendant’s counsel of record. If no address for the Defendant should appear on the bond, notice should be mailed to the surety on the bond.

Date: _____

JUDGE PRESIDING