

**IN THE COUNTY COURT OF ORANGE COUNTY, FLORIDA
CRIMINAL DIVISION**

STATE OF FLORIDA,

Case No.:

vs.

Division:

_____,'

Defendant.

**AFFIDAVIT OF PLEA IN ABSENTIA OF [GUILTY / NO CONTEST]
TO MISDEMEANOR CHARGE(S) PURSUANT TO FLA. R. CRIM. P. 3.180 (c)**

BEFORE ME, the undersigned authority, this day appeared the undersigned Defendant, who being duly sworn states:

1. I am the person charged in Orange, Florida, in the above identified case.
2. I wish to accept the plea offer extended by the State Attorney's Office for the Ninth Judicial Circuit in Orlando, Orange County, FL. I will plead no contest/guilty to the charge(s) of:

3. I am entering into this plea freely, voluntarily, and intelligently, and I understand the following:

- The nature of the charge(s) is/are as follows: [specification of charge(s)];
- The difference between pleas of guilty, not guilty, and no contest;
- I have the right to a trial by jury or a non-jury trial;
- I have the right to an attorney and the right to have an attorney appointed if I cannot afford one;
- I have the right to require the State to prove my guilt beyond a reasonable doubt;
- I have the right to call witnesses of my own at trial and have those witnesses subpoenaed;
- I have the right to confront and cross examine all witnesses who testify against me;
- I have the right to have the presumption of innocence until the prosecutor for the State of Florida proves guilt beyond a reasonable doubt;
- I have the right to remain silent and not have that silence considered by the jury or judge at trial as any proof of guilt;
- I have the right to testify at trial and have my testimony considered by the same standards as other witnesses;
- If I am not a United States citizen, my plea of no contest/guilty may subject me to deportation pursuant to the laws and regulations governing the United States Naturalization and Immigration Service;
- The maximum sentence that could be imposed in this case based on this plea is [specification of time period]. There [is/is not] a minimum sentence that must be given in this case. That minimum sentence in this case is [specification of time period].

- I give up the right to appeal all matters relating to my guilt or innocence of the charged offense if I plead no contest/guilty. I will have NO opportunity on appeal to challenge ANY legal ruling in this case UNLESS the judge imposes an illegal sentence which is greater than any sentence allowed by law.

4. I understand that by pleading no contest/guilty, I am giving up the above-listed rights and any possible defenses I may have to the charge.

5. I have not been induced to enter this plea against my will nor have any promises of leniency of any kind been offered to me to influence my plea.

6. I am not under the influence of alcohol, drugs, or medications at this time.

7. I am not suffering from any mental illness which would impair my understanding of this plea.

8. I am entering this plea with the understanding that the Court will sentence me to [insert terms of agreement].

Print Name of Defendant

STATE OF _____
COUNTY OF _____

The foregoing Affidavit of Plea in Absentia was sworn to or affirmed and subscribed before me this _____ day of _____, 20____, by _____ who [] is personally known to me OR [] produced _____ as identification.

Notary Public Signature

Print, Type, or Stamp Commissioned Name of Notary Public
My Commission # _____
My Commission Expires _____

Attorney of Record for Defendant
Florida Bar #: _____