

CAUSE NO. E _____

THE STATE OF TEXAS

* IN THE COUNTY COURT

VS.

* AT LAW NO. 2 OF

* ORANGE COUNTY, TEXAS

(hereinafter called "Defendant" or "the defendant")
Defendant's Social Security No. (last four numbers): _____
Defendant's Date of Birth: _____

WRITTEN PLEA ADMONISHMENTS FOR DWI CASE

1. The range of punishment attached to this misdemeanor offense is (check one):

- Driving While Intoxicated - First Offense:** Confinement in the county jail for not more than 180 days or less than 72 hours. In addition, a maximum fine of \$2000 may be imposed. For an offense committed before 9/1/94, the punishment range is 72 hours to two years in the county jail and a fine of \$100-2000.
- Driving While Intoxicated - First Offense with Blood/Breath Alcohol Concentration of 0.15 or more:** Confinement in the county jail for not more than one year and/or a maximum fine of \$4000. For an offense committed after 8/31/11.
- Driving While Intoxicated -First Offense with Open Container:** Confinement in the county jail for not more than 180 days or less than six (6) days. In addition, a maximum fine of \$2000 may be imposed.
- Driving While Intoxicated - Second Offense:** Confinement in the county jail for not more than one year or less than 30 days. In addition, a maximum fine of \$4000 may be imposed. For an offense committed before 9/1/95 but after 8/31/94, the minimum confinement is 15 days in the county jail. For an offense committed before 9/1/94, the punishment range is 15 days to two years in county jail and a fine of \$300-2000.

2. **PLEA BARGAINS:** The trial court is not bound by a plea agreement, if any exists, between the defendant and the state. **If the trial court assesses a punishment different from that recommended by the State or defendant, the defendant has no right to withdraw the plea after sentencing.**

3. **CITIZENSHIP:** If you are not a U.S. citizen, a plea of guilty or nolo contendere may result in deportation, exclusion from admission to the country, or denial of naturalization under federal law.

JUDGE PRESIDING
COUNTY COURT AT LAW NO. 2
ORANGE COUNTY, TEXAS

DEFENDANT’S WAIVERS AND CONFESSION

Comes now, the Defendant, joined by counsel, and I state that I understand the admonishments listed on the front side of this document and I state that I am mentally competent and my plea is freely and voluntarily entered. Furthermore I state that if I had counsel appointed to represent me, or if I retained my own attorney, I also give up and waive any right I might have to wait ten days, or any other amount of days to prepare for trial. I want to state for the record that I am totally satisfied with the representation of my attorney who provided effective and competent representation.

I, joined by counsel, also waive and give up under Art. 1.14 CCP and under the Constitutions of the United States and of The State of Texas, all rights given to me by law, whether of form, substance or procedure, including but not limited to my right to call and/or subpoena witnesses on my behalf, my right to be faced and confronted by the witnesses against me, and I hereby demand an immediate trial to the Court and at the same time I waive and give up my right to have a jury trial and I request and desire for the Court to set my punishment in this case.

I, with counsel, consent to the oral and/or written stipulations of the evidence. I state that I read and write the English language and that I have not used or consumed an alcoholic beverage or narcotics within the preceding twelve (12) hour period.

After being advised by my counsel, I state that I am aware of the nature of the charge filed against me in this case and the penalty range for the offense charged in this case. I, along with my counsel, hereby waive the arraignment and reading of the information and am now entering a plea of:

circle one: [GUILTY] [NO CONTEST]

to the offense charged within the information in this cause or as a lesser included offense of the offense charged in the information.

I swear to all of the foregoing and I further swear that all testimony that I give in this cause will be the truth, the whole truth and nothing but the truth, **so help me God.**

DEFENDANT

Sworn to and subscribed before me by the defendant on this the _____ day of _____, 20_____.

ORANGE COUNTY DEPUTY SHERIFF

ORANGE COUNTY DEPUTY CLERK

We join in and approve the waivers and stipulations made above by this defendant under Arts. 1.13, 1.14, 1.15, and 42.12 (9)(j), C.C.P. We also agree upon inquiry and evidence that the defendant is legally competent to stand trial and that all statements of the defendant were freely, voluntarily and intelligently made and that the defendant’s plea was freely, voluntarily and intelligently entered.

Attorney for the Defendant

Attorney for the State

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