IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA CRIMINAL ACTION

STATE OF FLORIDA

vs. CASE NO.:

 (all case numbers maybe listed)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**PLEA IN ABSENTIA**

 I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, enter a plea of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to the

charge of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Florida Stat. § \_\_\_\_\_\_\_\_\_\_\_, a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ misdemeanor, filed with the Clerk of Lee County, Florida, Case Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 My attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, has explained the elements of the charges and the minimum and maximum penalties that apply to these charges, including the enhanced penalties for subsequent convictions, to me and I understand same. My attorney has advised me of the substance of pre-trial discussions with the State regarding the negotiated plea.

 Pursuant to those negotiations, I enter this Plea of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the charge of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with the condition that the below sentence will be imposed:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(add additional conditions if needed)

Other than this agreement, I have received no promises of leniency or reward as an

inducement to enter this Plea of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 I acknowledge that no threat, force or coercion was employed by the representative of the State of Florida, the Court, or my attorney in order to induce me to enter this Plea of \_\_\_\_\_\_\_\_\_\_\_. This plea is being tendered by me freely and voluntarily. I know of no physical or mental disabilities which would prevent me from understanding the nature of the proceedings against me, or the Plea Agreement to which I am entering.

 I have discussed with my attorney and understand the following:

1. That I have the right to be represented by an attorney at every stage of the proceeding against me and, if necessary, one will be appointed to represent me; and
2. That I have the right to persist in my plea of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and that I have the right to be tried by a jury and at that trial have the right to the assistance of counsel, the right to compel attendance of witnesses on my behalf, the right to confront and cross-examine witnesses against me, and the right not to be compelled to incriminate myself; and
3. That I am presumed innocent of this charge and the State has the burden of proving my guilt beyond a reasonable doubt; and
4. That if I plead guilty, or no contendere without express reservation of right to appeal, I give up my right to appeal all matters relating to the Judgment, including the issue of guilt or innocence, but I do not impair my right to review by appropriate collateral attack; and
5. That if I plead guilty or an adjudged guilty after a plea of nolo contendere there will be no further trial of any kind, so that by pleading guilty or non contendere I waive the right to a trial; and
6. That if I am not a United States citizen, this plea could be used against in a deportation proceeding if one were brought by the US government; and
7. That I have thirty (30) days from the plea to file any appeal; and
8. That the maximum sentence that could be given for this charge: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I understand that if I were to violate my probation, I could be sentenced up to the maximum sentence.

I agree that an adequate factual basis exists for the charge of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and agree that venue is correct.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Defendant

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Printed Name of Defendant

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Full Address of Defendant

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Email of defendant and telephone number

STATE OF FLORIDA

COUNTY OF LEE

 Sworn to and subscribed before me, appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

who is **□ personally known to me or □ has provided** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as

identification and after being duly sworn executed the foregoing instrument and acknowledge to

and before me that he/she executed said instrument.

On this \_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Notary Stamp) Notary Public Signature

(Attached to this plea in absentia is the fingerprint page under sworn signature by Deputy)