

THE STATE OF TEXAS

§ IN THE COUNTY COURT

VS

§

§ AT LAW NO. 2 OF

§

§ HUNT COUNTY, TEXAS

**NOTICE OF PRETRIAL INTERVENTION AGREEMENT
DEFENDANT’S WAIVER OF CONSTITUTIONAL RIGHTS,
STIPULATION OF EVIDENCE & JUDICIAL ADMISSION**

Prior to entering this plea, I, the Defendant, represent that I am mentally competent and understand the nature of the charges against me and hereby knowingly and voluntarily waive the following rights: (1) The right to remain silent; (2) The right to ten days preparation after appointment of counsel; (3) The right to a trial by jury; (4) The right to confront the witnesses against me in the guilt/innocence phase and the punishment phase; and, (5) The Constitutional and statutory right to a speedy trial.

I judicially confess and admit my GUILT to the allegations that I:

Name: _____

Date of Birth: _____

Texas Driver’s License/I.D. Number: _____

on or about _____ in Hunt County, Texas, did commit the offense of _____, a Class ____ Misdemeanor,

Further, I stipulate that if the witnesses were to testify in this case, they would testify as set forth in the police reports, witness statements or other documents contained in the State’s files. The Defendant expressly agrees to this stipulation of evidence, and agrees that each and every fact asserted therein may be taken and considered as true by the finder of the fact in this cause, expressly waiving the appearance, confrontation and cross examination of witnesses for the State in any and all proceedings had in this matter.

I ADMIT that I committed the acts alleged in the information in this cause, I plead **GUILTY** to the offense of _____. My plea is given freely and voluntarily. I am satisfied that my attorney has properly represented me and I have fully discussed this case, this agreement, and the consequences thereof (including the range of punishment) with my attorney.

I further accept the terms of the Hunt County Attorney’s Pretrial Intervention Program Agreement (hereinafter the Agreement) and understand that the failure to fully and timely complete ALL conditions of the Agreement shall cause this matter to be set for a hearing on the entry of the plea I am hereby making and a sentencing on that plea. I further understand that at that time, the only issues before the Court relate to my punishment and I will be subject to the FULL range of punishment.

The Agreement goes into effect when the Court approves and signs this *Notice of Pretrial Intervention Agreement, Defendant’s Waiver of Constitutional Rights, Stipulation of Evidence & Judicial Admission* and runs until _____ (hereinafter the Intervention Period).

The Defendant's plea shall be taken under advisement during the Intervention Period, however the plea is subject to being accepted by the Court and the Defendant sentenced thereon upon the violation of, or failure to timely and fully complete, any term listed in the Agreement.

The Agreement and *Notice of Pretrial Intervention Agreement, Defendant's Waiver of Constitutional Rights, Stipulation of Evidence & Judicial Admission*. are not a finding of guilt nor do they place the Defendant on either regular community supervision or deferred adjudication under Art. 42.12, Texas Code of Criminal Procedure.

Defendant's appearance is required for a:

PRETRIAL INTERVENTION REVIEW hearing on _____, at **1:30 p.m.**

Upon successful and timely completion of the Agreement, the State will dismiss the charge against Defendant.

However, at any compliance review hearing, or at such other hearing as the Court shall determine, upon notice to Defendant, should it be determined that Defendant has violated or failed to fulfill one or more conditions of the Agreement, the Court may, upon the motion of the State, terminate the Intervention Period, accept the Defendant's previously entered plea, enter a finding of guilt on the basis of such plea, and proceed to sentence the Defendant. In such an event, the Court has the authority to utilize the full range of punishment, including a term of community supervision and any conditions thereof or a term of jail up to the maximum allowed by law.

In the event Defendant violates a condition of bond, the Court, on its own motion, may terminate the Intervention Period and set the matter for trial on the merits.

Upon successful completion and dismissal of this charge, the Defendant will be allowed to file a petition for expungement under Art. 55, Texas Code of Criminal Procedure, and shall be allowed to expunge all records, files and reference to the arrest from which this charge arises from all entities, except from the Hunt County Attorney's Office and the Hunt County Community Supervision Office.

Attorney for Defendant

Defendant

Hunt County Attorney, or
Assistant County Attorney

The Court finds that the Defendant is mentally competent, understands the nature of this charge, is aware of the consequences of his/her plea and has made waivers and statements freely and voluntarily. The Defendant's plea is hereby taken under advisement. Upon successful completion of the Agreement, this case will be dismissed. Upon violation of the terms of the Agreement, this case will be set for entry of this plea and sentencing. Upon violation of a condition of bond, the Court may terminate the Intervention Period and set the matter for trial on the merits.

This Agreement is hereby approved by the Court on _____.

Judge Joel D. Littlefield
Hunt County Court at Law No. 2