

Superior Court of the District of Columbia

United States of America/
District of Columbia

vs.

Case No. _____

PLEA AGREEMENT AND WAIVER OF TRIAL

PLEA AGREEMENT: Defendant and the Government enter into the following plea agreement:

YOU ARE NOT REQUIRED TO PLEAD GUILTY. If you do plead guilty, you will give up important rights, some of which are stated below.

First, you give up your right to a trial by the court or a jury, comprised of 12 members of the community. At a trial you would be presumed to be innocent, and the Government would be required to present evidence in open court to prove its case beyond a reasonable doubt.

At the trial you have the right to have a lawyer represent you. The lawyer would be able to cross-examine witnesses, file motions to suppress evidence and statements, and make objections and arguments on your behalf. You would have the right to question any witness and you could have witnesses come to court and testify for you. You would also have the right to testify if you wanted to; however, if you chose not to present testimony, that decision could not be used against you. You could not be convicted at trial unless the Court found that the Government had proved your guilt beyond a reasonable doubt.

Second, you give up your right to appeal your conviction to the Court of Appeals. This is a right you would have if you were convicted after trial. The right to appeal includes the right to have the Court of Appeals appoint a lawyer for you and pay for your lawyer's services if you could not afford a lawyer.

Third, if you are not a citizen of the United States, your plea of guilty could result in your deportation, exclusion from admission to the United States, or denial of naturalization.

Your signature on this form means that you wish to plead guilty and give up your right to trial and your right to appeal. If the Court accepts your guilty plea, you will be convicted, and the only matter left in the case will be for the Court to sentence you. No person can guarantee what your sentence will be.

I HAVE REVIEWED THIS FORM WITH MY LAWYER AND HAVE DECIDED TO PLEAD GUILTY IN THIS CASE. I HAVE DECIDED TO GIVE UP MY CONSTITUTIONAL RIGHT TO HAVE A TRIAL AND TO GIVE UP MY RIGHT OF APPEAL.

Asst. U.S. Attorney/
Asst. Attorney General

Defendant

Approved this _____ day of _____, 20____

Attorney for Defendant

Judge