

THE STATE OF TEXAS

IN THE _____ DISTRICT COURT

VS.

OF

TRAVIS COUNTY, TEXAS

DEFENDANT’S PLEA OF TRUE, ETC. TO STATE’S MOTION TO REVOKE PROBATION

Now comes the defendant in open court in the above titled and numbered cause represented by his attorney with whom he has previously consulted and makes the following voluntary statement:

1. That I understand the nature of the charges contained in the Motion to Revoke Probation.
2. That the Court has warned me of the consequences of a plea of true, including the minimum and maximum punishment applicable in this cause.
3. That I have the right to remain silent but if I choose not to remain silent, anything I may say can be used against me.
4. That I have the right to be confronted with the witnesses against me. However, I desire to waive and do waive the following rights:
 1. Waive the reading of the Motion to Revoke Probation.
 2. Waive my right to remain silent, state that I will take the witness stand knowing anything I may say can be used against me, and make a judicial confession of my guilt.
 3. Waive the right to be confronted with the witnesses against me and request the approval of the Court to the stipulation of the evidence by my waiving the appearance, confrontation and cross-examination of witnesses, and by my further consenting to the introduction of testimony and evidence by stipulation into the record by the attorney for the State by oral stipulations or by affidavit, or any written statements of witnesses and any other documentary evidence.
 4. Waive the 10-day waiting period for trial after the appointment of counsel.
 5. Waive the 10-day waiting period for sentencing after judgment. I do further admit and judicially confess that I am the same person who was placed on probation by the Court in this case, that I received a copy of the Conditions of Probation when placed on probation, that I understood the terms and conditions of my probation, and that during the terms of my probation I knowingly, intentionally and unlawfully committed the acts alleged in the Motion to Revoke Probation in this cause at the time and place and the manner alleged, and that I in fact plead true to committing the acts alleged in the Motion to Revoke Probation, and I enter my plea of true to said motion, and that my plea of true is voluntary and is not influenced by any consideration of fear or any persuasion of any delusive hope or pardon.

I further understand that in the event my probation is revoked I have the legal right to appeal to the Court of Appeals of Texas, and also the right to be represented on appeal by an attorney of my choice or if I am too poor to pay for such attorney or the record on appeal, the Court will, without expense to me provide an attorney and a proper record for such an appeal.

DEFENDANT

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

AMALIA RODRIGUEZ-MENDOZA
DISTRICT CLERK
BY: _____
DEPUTY DISTRICT CLERK

APPROVAL:

I have consulted with the defendant, advised him of his rights, believe him to be mentally competent, and approve his signing this plea of true, waiver of rights stipulation, and judicial confession.

ATTORNEY FOR DEFENDANT

CONSENT:

Before the entry of the defendant’s plea of true herein, the above requests, waivers, and stipulations are hereby consented to be approved by me, the attorney representing the State.

ATTORNEY FOR THE STATE

Appearing to the Court that the defendant is represented by competent counsel, that said defendant understands the nature of the charge against him and that he has been by the Court warned of the consequences of a plea of true, including the minimum and maximum punishment provided by law, that the attorney for the defendant and the State approve and consent to the waivers and agree to stipulate testimony in this cause, the Court, therefore, finds such a plea of true, waivers, and consent to be voluntarily made and accepts the plea of true and approves the waivers herein and the consent to stipulate testimony.

JUDGE PRESIDING