

IN THE CIRCUIT COURT OF CLAY COUNTY

STATE OF MISSOURI)
 vs.)
)
 _____)
 Street address: _____)
 City, State & Zip: _____)
 Defendant's DOB: _____)

Div. No.: _____
 Cause No.: _____
 Dated: _____

MISDEMEANOR PLEA OF GUILTY
(DURING COVID-19 PANDEMIC PERIOD)

Pursuant to Mo. Sup. Ct. Rule 31.03(a), and with the agreement of the defendant, defense counsel, the State of Missouri, and the Court, this matter is being disposed of by written plea.

By my signature to this Plea of Guilty, I _____, request the Court accept my Guilty Plea, and enter its Judgment and Sentence, in my absence, at such time, manner, and place as is convenient to the Court. I also consent and agree that neither the prosecuting attorney, nor my attorney, _____, need to personally appear before the Court to dispose of my case.

I have been informed of, and understand, the following:

1. I have the right to a trial by a jury or an impartial judge (if I choose to waive the right to a jury trial) to determine my guilt or innocence.
2. If I lose at trial, I can appeal, but that there is no appeal from my plea of guilty.
3. I am presumed innocent, and the State has the burden to prove guilt beyond a reasonable doubt. In the case of a trial by a jury, all twelve (12) jurors must vote to either convict or acquit me.
4. If I plead guilty, there will be no trial, and the judgment and my sentence will be entered by the judge.
5. I do not have to plead guilty.
6. I am represented by an attorney.
7. I have the right at a trial to see and confront the witnesses against me, and to have my attorney cross-examine them.
8. I have the right to present evidence, and to have the Court subpoena the attendance of witnesses at any trial to testify on my behalf.
9. I have the right at a trial to remain silent, and neither the jury or judge can interpret my silence as proof of my guilt. I also have the right to testify on my own behalf.

10. My willingness to plead guilty results from prior discussions between the prosecuting attorney and my attorney. I am entering my Guilty Plea pursuant Mo. Sup. Ct. Rule 24.02(d)1(A),(C), and/or (D). I understand that if for any reason the Court rejects the plea agreement, I will be afforded the opportunity to withdraw my plea. If I then decide to persist in my plea, the disposition of my case may be less favorable to me than what I had contemplated by the plea agreement, and that there is the possibility the Court may sentence me to jail.

11. I am charged with the following offense(s):

12. My attorney has informed me of all of the elements of the charge(s) to which I am pleading guilty.

13. My attorney has discussed with me any possible defense(s) to the charge(s). I do not know of the existence of any witnesses, facts, circumstances and/or evidence, not presented to the Court, which would exonerate me of the charge(s).

14. My attorney has advised me of the minimum and maximum possible punishment to the charge(s).

15. No one is compelling me to plead guilty, and no one has made any threats or promises apart from the plea agreement as to what would happen if I plead guilty.

16. At the time I signed this Guilty Plea, I was not under the influence of drugs or alcohol.

17. I am in fact guilty of the charge(s) that I am pleading guilty to, and have actually committed each and every factual allegation in the charge(s) against me.

18. I am satisfied with the services of my attorney.

19. I am aware that if I have not previously been fingerprinted in connection with my arrest, and I am required by law to do so. I will have to report to the law enforcement agency for fingerprinting as directed by the Court.

20. I am aware of the following plea agreement that has been offered and recommended by the prosecuting attorney, Daniel White AND (circle one) Steven Mowry or Ellen Greenberg-Jacobs, pertaining to each of my charge(s):

21. I hereby freely and voluntarily waive all of my rights herein, and enter my plea(s) of guilty pursuant to the plea agreement and recommendation outlined above. I state to the Court that it is my personal decision to plead guilty, and that I know of no legal reason why judgment should not be imposed by the Court.

22. Defendant waives any rights to personally appear in Court to consummate this plea.

23. To be answered by defense attorney:

_____, hereby certifies that I have fully discussed all the following matters with Defendant:

- a. All plea offers from the State have been relayed to Defendant; and
- b. All known collateral consequences of being found guilty of this charge, including immigration issues, if applicable, and
- c. I have discussed standard conditions of probation with Defendant, if applicable.

24. I promise to pay the total amount due of \$ _____ knowing that if I don't abide by the Judge's Order set forth, a WARRANT MAY BE ISSUED AND additional costs may accrue.

Defendant's Original Signature

SSN: XXX-XX

25. I HAVE READ EVERYTHING ON THIS PLEA OF GUILTY, UNDERSTAND ALL OF IT, AND AGREE WITH IT.

Defense Attorney: _____ Defendant: _____
 Bar Number: _____ Date: _____

The Defendant must date, and sign, this Guilty Plea with an original ink signature. Defense counsel shall retain Defendant's originally signed Guilty Plea. Defense counsel and the APA/PA may provide either an electronic or original signature.

The Court hereby finds that:

There is a factual basis for the plea(s) of guilty, and Defendant is in fact guilty of the charge(s). Defendant does not know the existence of any witnesses, facts, circumstances or evidence which would exonerate Defendant of the charge(s). The Court further finds that Defendant's plea(s) is/are knowingly, intelligently, and voluntarily made, and not the result of force, threats, or promises made apart from the plea agreement.

Defendant's plea(s) of guilty is/are accepted.

Hon. Judge _____

Date: _____