

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT  
OF HINDS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS

CAUSE NO (S) \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT

**PETITION TO ENTER A PLEA OF GUILTY**

**THE DEFENDANT HEREIN**, being duly sworn, states in Open Court under oath that:

1. My full name is \_\_\_\_\_.

AKA: \_\_\_\_\_

RACE \_\_\_\_\_ SEX \_\_\_\_\_ DOB \_\_\_\_\_ SS# \_\_\_\_\_.

My address (last address) is

\_\_\_\_\_

\_\_\_\_\_

I am currently confined in the \_\_\_\_\_

My birthplace is \_\_\_\_\_, Immigration # \_\_\_\_\_

My citizenship is \_\_\_\_\_, FBI# \_\_\_\_\_

My age is \_\_\_\_\_ years and I completed \_\_\_\_\_

years in school and \_\_\_\_\_ years in college. I can read and write. I am

mentally competent to make this Petition. I understand, should the plea of guilty herein tendered

not be accepted and trial follow, that admissions made herein or during any hearing on this

petition would not be admissible against me at trial.

2. I am represented by \_\_\_\_\_, an  
attorney who has been court appointed \_\_\_\_\_ retained \_\_\_\_\_ by  
me.

3. I plead guilty to the charge (s) of \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT'S INITIALS

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READ CAREFULLY

COMPLETE ALL BLANKS AND STRIKE THROUGH ANY NON-APPLICABLE PORTIONS

\_\_\_\_\_ as set forth in the indictments in cause number (s)\_\_\_\_\_.

4. I have told my lawyer all fo the facts and circumstances known to me about the charge (s) asserted in the indictment(s). I believe that my lawyer is fully informed on all such matters. My lawyer has advised me of the nature of the charge (s) and the possible defenses that I may have to the charge (s).

5. I understand that I may plead "NOT GUILTY" and may persist in that plea and that the Constitution guarantees me (a) the right to a speedy and public trial by jury, (b) the right to see, hear and cross examine all witnesses called to testify, c) the right to use the power and process of the Court to compel the production of evidence, including the attendance of any witnesses in my favor, (d) the right to have the presence and assistance of a lawyer at all stages of the trial and any appeal, (e) the right to challenge the composition of the Grand Jury, which indicted me, (f) the right to testify in my own defense, (g) the right to a jury verdict of all twelve jurors before I could be found guilty.

6. I understand that if I do not have funds to employ an attorney, the Court will appoint an attorney to represent me; that I do not have to testify against myself; that if I should be convicted after a jury trial, I would have absolute right to an appeal to the Mississippi Supreme Court with assistance of counsel and at no cost to me should I be determined to be financially unable to pay for same. I understand that by pleading guilty I am admitting that I did commit the crime charged in the indictment(s) and that I am waiving all of the rights set forth in paragraph number five (5) of this Petition.

7. At the time of the crime referred to herein, I was not, and at this time I am not under the influence of drugs, nor alcohol, nor suffering from any mental disease.

8. I declare that no officer or agent of any branch of government, nor any other person has made any promise of inducement of any kind to me, or within my knowledge to anyone else, that I will receive a lighter sentence, probation, early release, or any other form of leniency if I plead "GUILTY". I have not been beaten, threatened, mentally or physically forced, intimidated or coerced in any manner to plead guilty to the crime charged against me. I offer my plea of

“GUILTY” freely and voluntarily and of my own accord and with full understanding of all the matters set forth in the indictment herein and in the Petition, and this plea is with the advice and consent of my lawyer.

9. My lawyer has informed me as to the maximum and minimum punishment which the law provides of the offense charged in the indictment. The punishment which the Court may impose for this crime that I am charged with is as follows:

	<b>MAXIMUM</b>	<b>MINIMUM</b>
COUNT OR # _____	_____	_____
COUNT OR # _____	_____	_____
COUNT OR # _____	_____	_____

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10. If no agreement has been reach with regard to a recommended sentence as a result of so-called “plea-bargaining”, I understand neither my attorney nor any other person can represent to me that I will receive any particular sentence if I plead guilty. The final decision as to the sentence rests with the Court.

If as a result of the plea bargaining, my attorney and I have reached an agreement with the District Attorney’s Office concerning my offer to plead guilty to the charge(s) listed in paragraph three (3), it is my understanding that the District Attorney will recommend to the Court that I receive a sentence as follows:

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I understand that I am sentenced for an armed robbery or attempted armed robbery by displaying a deadly weapon, I will not be eligible for parole. I understand that if I am sentenced as an habitual criminal, I will not be eligible for parole. I understand that if I am sentenced for a sex crime, I will not be eligible for parole. If I am sentenced after July 1, 1995, for any crime, I may not be eligible for parole.

DEFENDANT’S INITIALS \_\_\_\_\_

12<sup>TH</sup> Revision  
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12. I understand that if I am not eligible for parole, I will not receive "good time credits". I also understand that "earned time" or "good time credits" will not be applied to reduce my parole eligibility date. I understand that this court has no control over the giving of earned time or good time. I understand that this process of governed by the Mississippi Department of Corrections.

13. My lawyer has counseled and assisted me, and I am satisfied with the advice and help he/she has given me.

14. My lawyer advises me that the elements of the charge to which I am pleading guilty are as follows:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

I submit the following facts which I state to be true, and feel that all of the above elements are proven by these facts:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_

Therefore, I am guilty and ask the Court to accept my plea of guilty.

15. I understand that I am presenting this Petition under Oath and under penalty of perjury for any false statements contained herein. I have not been encouraged by any person to answer falsely any questions in this Petition in order to have this plea accepted.

\_\_\_\_\_  
DEFENDANT'S INITIALS

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16. I understand that my plea of guilty may be withdrawn at any time during a hearing on this Petition prior to the acceptance of the plea by the Court.

17. I have previously been convicted of the following felonies: \_\_\_\_\_

\_\_\_\_\_.

Signed by me in the presence of my lawyer, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**DEFENDANT**

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**SWORN TO AND SUBSCRIBED BEFORE ME,** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**MY COMMISSION EXPIRES:**  
\_\_\_\_\_

\_\_\_\_\_  
**NOTARY PUBLIC**

As attorney for \_\_\_\_\_, I certify that I have, on the above date, discussed all the contents of the foregoing petition with said Defendant, and I am satisfied that the Defendant fully understands same and that the Defendant executes said Petition knowingly and voluntarily.

\_\_\_\_\_  
**ATTORNEY FOR DEFENDANT**

\_\_\_\_\_  
DEFENDANT'S INITIALS