

CASE NO. \_\_\_\_\_

SECOND PARISH COURT

DIVISION \_\_\_\_\_

PARISH OF JEFFERSON

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

WAIVER OF RIGHTS: PLEA OF GUILTY TO  
LAIRS 14:95 (ILLEGAL CARRYING OF WEAPONS)

My date of birth is: \_\_\_\_\_

My social security number is: \_\_\_\_\_

My driver's license number is: \_\_\_\_\_

My educational level is: \_\_\_\_\_

I understand that I am charged with the following offense(s) that occurred on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ : Louisiana Revised Statute(s): \_\_\_\_\_

I understand that I am entering a plea of guilty, \_\_\_\_\_ to the above charge(s).

I understand that the crime of illegal carrying of weapons is:

- (1.) the intentional concealment on one's person of any firearm or other instrument customarily used or intended for probable use as a dangerous weapon;
- (2.) the ownership, possession, custody or use of any firearm, or any instrument customarily used as a dangerous weapon, at any time by an enemy alien;
- (3.) the ownership, possession, custody or use of any tools, dynamite, nitroglycerine, explosives or other instrument customarily used by thieves or burglars with the intent to commit a crime;
- (4.) the manufacture, ownership, possession, custody or use of any switchblade knife, spring knife, or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button, switch, latch, or similar contrivance;
- (5.) the intentional possession or use by any person of a dangerous weapon on a school campus during regular school hours or on a school bus, with certain exceptions.

I understand that, by pleading guilty to this offense, I am giving up the following rights:

My right to plead not guilty or to pursue the not guilty plea previously entered, and go forward with a trial.

My right to a Judge trial.

My right to require the State to prove my guilt beyond a reasonable doubt.

My right to confront my accuser and cross-examine witnesses called to testify against me.

My right not to be compelled to incriminate myself.

My right to appellate review.

If I enter this plea without the assistance of a lawyer, I am giving up the following rights:

My right to the assistance of a lawyer at all stages of the proceedings.

My right to have a lawyer appointed, if I cannot afford one.

I understand that by pleading guilty I am authorizing the Court to impose up to the maximum sentenced provided by law without a trial.

The maximum I could be sentenced to for a first offense illegal carrying of weapons is 6

months in parish prison, a fine of \$500.00, or both.

I understand that this plea can be used to multiple-bill me as a second, third or greater offender and if this happens this plea would seriously affect me under the Habitual Offender Law. I understand that the District Attorney's office can go back 5 1/2 years in order to use this offense for multiple billing purposes.

I understand that a second or subsequent conviction would no longer be considered a misdemeanor but would be a felony. The maximum I could be sentenced to for a second offense illegal carrying of weapons is five years with or without hard labor. The maximum I could be sentenced to for a third or subsequent offense is 10 years with or without hard labor without benefit of parole, probation or suspension of sentence.

I understand that if I plead guilty under C.Cr.P. Art. 894, then the plea is held in abeyance until my probation period is successfully completed. At that time, the record is marked acquitted and found not guilty. The effect then is that the record is not available to and can not be used by the general public if appropriate legal documents are filed after the probation period is successfully completed. However, the state has the right to keep a private record of the charges for the proper law enforcement agency to use for multiple billing purposes.

I and/or my attorney has had a conference with the District Attorney and he has agreed to reduce and/or dismiss the following charges: \_\_\_\_\_.

I acknowledge that my act of Pleading Guilty is a knowing, intelligent, free and voluntary act on my part. I also acknowledge that no promises or threats have been made to encourage me to enter a guilty plea to the above charge.

I will be sentenced as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My rights have been thoroughly explained to me by the trial judge, and I understand them. The trial judge has asked me if I have any questions and has given me an opportunity to ask questions. I have no further questions to ask.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Attorney for Defendant

I have read and reviewed the above with the defendant in open court. I have asked the defendant if he has any questions of me and have given him an opportunity to ask me questions. Any questions the defendant may have asked me I have answered.

\_\_\_\_\_  
Date

\_\_\_\_\_  
JUDGE