

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

SECOND PARISH COURT

DIVISION \_\_\_\_\_

PARISH OF JEFFERSON

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

WAIVER OF RIGHTS: PLEA OF GUILTY TO  
LA. R.S. 14:67 (THEFT)

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

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

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

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

I understand that I am charged with the following offense(s) that occurred on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_: Louisiana Revised Statute 14:67 \_\_\_\_\_.  
This was a theft from \_\_\_\_\_.

I understand that I am entering a plea of guilty to these charge(s) and that I (am)(am not) entering this plea under Code of Criminal Procedure Article 894.

I understand that the crime of theft is the misappropriation or taking of anything of value which belongs to another, either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices or representations. An intent to deprive the other permanently of the object(s) is essential.

I am now telling the Court that I am guilty of theft under \$1,000.00.

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 sentence provided by law without a trial.

The maximum I could be sentenced to for a first offense theft under \$1,000.00 is 6 months in parish prison, a fine of \$1,000.00, or both.

I understand that a plea of guilty for theft can be used to multiple bill me as a second or greater offender and this plea would seriously affect me under the habitual offender law.

I understand that if I was charged with a 3rd or subsequent offense of theft under \$1,000.00, it would no longer be a misdemeanor, but would be a felony charge. The maximum I could be sentenced to would be 2 years with or without hard labor, a fine of \$2,000.00, or both.

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. 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 charge for the proper law enforcement agency to use for multiple billing purposes.

I understand that if I am not a citizen of the United States of America that this plea may have a negative impact on any deportation proceedings.

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 understand by pleading guilty I will be sentenced as follows:

- \_\_\_\_\_ day(s)/months parish prison \_\_\_\_\_ day(s)/months suspended
- \_\_\_\_\_ day(s)/hour(s) home incarceration
- \_\_\_\_\_ month(s)/year(s) inactive/active probation with the following special conditions of probation
- \_\_\_\_\_ Something for Nothing Program
- \_\_\_\_\_ hours community service
- \_\_\_\_\_ Fine plus Court costs
- \_\_\_\_\_ (Art. 894) defer imposition of sentence until successful completion of probation

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. I find that the defendant has made a knowing, intelligent, free and voluntary act on his or her part; and that no promises or threats have been made to encourage the defendant to enter this plea. I now accept the defendant's plea.

\_\_\_\_\_  
Date

\_\_\_\_\_  
J U D G E