

***Plea of Not Guilty***  
***Statement of Defendant***

1. My name is \_\_\_\_\_. My age is \_\_\_\_\_.
2. I am represented by counsel whose name is \_\_\_\_\_.
3. I have received a copy of the warrant/indictment/information before being called upon to plead, and have read and discussed it with my attorney, and believe that I understand every accusation made against me in this case. I understand that I am charged with the following: \_\_\_\_\_  
\_\_\_\_\_.
4. I have told my attorney all the facts and circumstances, as known to me, concerning the case against me, and I believe that my attorney is fully informed as to all such facts. My attorney has informed me and discussed with me as to the nature of the charge against me and as to any possible defense I might have in this case.
5. My attorney has advised me that the punishment which the law provides is as follows: A maximum of \_\_\_\_\_ years imprisonment (and a minimum of \_\_\_\_\_ years imprisonment) or, in the discretion of the jury, or the Judge sitting without a jury, up to \_\_\_\_\_ months in jail and a fine of \$\_\_\_\_\_; also that probation is the sole discretion of the Trial Judge; and that if I am convicted of more than one offense, the Court may order the sentences to be served consecutively, that is, one after another.
6. I understand that by pleading "Not Guilty" to any charge against me, the Constitution guarantees me: (a) the right to a speedy and public trial by jury and the jury of twelve persons must unanimously agree that I am guilty beyond a reasonable doubt before I can be convicted; (b) the right to see and hear all witnesses against me and the right to cross-examine those witnesses; (c) the right to use the process of the Court to compel the production of all evidence and attendance of witnesses on my behalf; (d) the right to have the assistance of a lawyer at all stages of the proceedings; (e) the right to require the Commonwealth to prove every material allegation against me beyond a reasonable doubt and to prove my guilt beyond a reasonable doubt; (f) the right to appeal the decision of this Court in the event that I am convicted; (g) the right to remain silent and not to take the stand or give testimony against myself and I understand that no inference may be drawn from my failure to testify and (h) I understand that if I fail to appear at any part of my trial that this may be deemed to be a waiver or forfeiture of my right to be present during the trial and that my trial may commence or continue in my absence.

7. No one connected with the state, such as the police or the Commonwealth's Attorney, or any other official, has in any manner threatened me or attempted to intimidate me in regard to any matter concerning the defense of my case.
8. I have had ample time to discuss my case with my attorney and have given him/her the names of any witnesses that I wish to be present. I am entirely satisfied with the services of my attorney to date.
9. I am entering this plea of not guilty freely and voluntarily.
10. I understand that I am entitled to a trial by jury; that I can consent to trial by the court without a jury if the Judge and Commonwealth's Attorney agree. I have discussed the case with my attorney and the advisability of a trial by jury or by the Court without a jury and have decided that I wish to be tried by \_\_\_\_\_ (Judge or jury).
11. I understand that if I am tried and found guilty by a jury, the same jury, in a separate proceeding held as soon as practicable after the guilt determination shall ascertain my punishment. At such punishment proceeding the Commonwealth, after notice to me of its intention to do so, shall present to the jury any prior criminal convictions that I may have, including adult convictions and juvenile convictions and adjudications of delinquency. After this evidence is introduced, I understand that I may introduce to the jury relevant, admissible evidence related to punishment. I understand that if I have introduced such evidence to the jury the Commonwealth may then introduce to the jury other relevant, admissible evidence in rebuttal. My attorney has fully explained to me this punishment phase of my trial and I understand it.
12. I understand that in the event that I am found guilty by a jury or by the court without a jury, in order for me to exercise and not lose my right to appeal, my attorney, at my request, must file a written notice of appeal within thirty (30) days after final judgment. My attorney has fully explained this appellate procedure to me and I understand that I must promptly notify my attorney of my desire to take such an appeal or I will lose my right to appeal.
13. I have read and understand all of the above.

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

\_\_\_\_\_  
Defendant

The above accords with my understand of the facts in this case, and I certify that this was read by my client or that I read and explained it to my client.

\_\_\_\_\_  
Defendant's Attorney

*NOTE: Please draw a line through any portion not applicable*