

SUPERIOR COURT OF CALIFORNIA, COUNTY OF INYO

People of the State of California vs. _____

Case No. _____

ADVISEMENT OF RIGHTS, WAIVER, AND ADMISSION FORM

I understand that I am charged in the above-entitled action(s) with willfully violating the terms and conditions of my Probation Mandatory Supervision Postrelease Community Supervision (PRCS).

I understand the nature of the charges against me, and the possible defenses. I desire to admit that I willfully violated my terms and conditions as alleged in the above-entitled action(s). I understand that by admitting the violation(s) that I am waiving or giving up the following rights:

- To be represented by an attorney - To retain or hire an attorney of my own choice, and if I can not afford to hire or retain an attorney, to have the Court appoint an attorney to represent me without cost to me;
- The right to a speedy and public revocation hearing, or what is commonly known as a “merits” hearing before a Judge, where the burden would be on the District Attorney’s Office to prove by a preponderance of the evidence that I did in fact willfully violate lawfully ordered terms and conditions as alleged;
- The right to confront and cross-examine the witnesses against me;
- The right to present evidence favorable to myself, and to have the Court issue subpoenas or orders compelling the production of evidence and the attendance of witnesses, without cost or expense to me; and,
- The right against self-incrimination or the right to remain silent. I understand that if I admit the violation(s), and say that the allegation(s) are true, that I am incriminating myself.

Consequences (as applicable): I understand that as a result of admitting that I willfully violated probation, the Court may revoke probation, and the maximum penalty may be imposed. I understand that by admitting that I willfully violated the terms of my Mandatory Supervision, the same may be revoked, and I may be required to serve the remainder of my sentence in jail. I have been previously informed of the maximum penalty and direct consequences of my conviction(s) in the above-entitled action(s), and I understand them. I understand that as a result of admitting that I willfully violated the terms and conditions of my PRCS, that I may be required to serve up to 180 days in jail, and thereafter remain on PRCS as provided in Penal Code § 3455.

I ask the Court to impose judgment at this time, also waiving my right to have the Court wait at least 6 hours before imposing judgment. I waive re-referral to Probation for a supplemental social history, report, and recommendation.

I do hereby freely and voluntarily, knowingly and intelligently give up each of the rights mentioned above, and knowing the maximum consequences, do hereby admit that I willfully violated my terms and conditions as alleged in the above-entitled action(s).

Dated: _____

Signature of Defendant: _____