

Cause

STATE OF TEXAS                                    §                    IN THE 66<sup>TH</sup> JUDICIAL  
VS.    §                    DISTRICT COURT OF  
\_\_\_\_\_    §                    HILL COUNTY, TEXAS

**COURT'S ADMONISHMENT TO DEFENDANT**

The Court, prior to accepting the above named Defendant's plea in this cause, admonishes said Defendant,

(1) The range of punishment for the offense of \_\_\_\_\_-SECOND DEGREE, which is a FELONY, alleged in this cause is punishable by confinement in the Institutional Division of the Department of Criminal Justice for a term of not more than twenty (20) years or less than two (2) years; in addition to imprisonment, an individual adjudged guilty of a felony of the second degree may be punished by a fine not to exceed \$10,000.

(2) Any recommendation of the prosecuting attorney as to punishment is not binding on the Court, and the Court may set punishment within the range recited above;

(3) If you and your attorney have reached a plea bargain with the prosecuting attorney, the Court will inform you if it accepts or rejects such agreement before any finding on your plea. If the Court rejects the plea bargain, you will be permitted to withdraw your plea of guilty or nolo contendere;

(4) A plea of nolo contendere (or "no contest") has the same legal effect in this criminal case as a plea of guilty;

(5) If the punishment assessed does not exceed the punishment recommended by the prosecuting attorney and agreed to by you and your attorney, this Court must give its permission to you before you may prosecute an appeal to a higher court on any matter in this case except for those matters raised by written motions filed prior to trial;

(6) If you are not a citizen of the United States of America, a plea of guilty or nolo contendere for this offense may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law; and

(7) You may not be compelled to give evidence or testify against yourself. You have the right to remain silent and not testify. However, if you elect to waive these rights and testify, anything you say can and will be used as evidence against you.

(8) Where Deferred Adjudication Probation is granted, and if there is a later violation of a condition of probation, you may be arrested and detained. You will then be entitled to a hearing limited to the determination by the Court of whether it proceeds with an adjudication of guilt on the original charge. No appeal may be taken from this determination. After an adjudication of guilty, all proceedings, including assessment of punishment, pronouncements of sentence, granting of probation, and your appeal, if any, continue as if the adjudication of guilt had not been deferred, and the range of punishment for the original charge could then be considered by the Court and imposed on you.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

APPROVED AS TO FORM:

\_\_\_\_\_  
DAN V. DENT  
DISTRICT ATTORNEY  
NICOLE CRAIN, ASSISTANT  
DISTRICT ATTORNEY

\_\_\_\_\_  
PRESIDING JUDGE, 66<sup>TH</sup> JUDICIAL  
DISTRICT COURT OF HILL COUNTY, TEXAS

On this the \_\_\_\_\_ day of \_\_\_\_\_, 200\_, I, \_\_\_\_\_,  
Defendant herein, and \_\_\_\_\_, Counsel for the Defendant,  
hereby certify that we have received, read and understand the foregoing Court's admonitions,  
are fully aware of the consequences of the Defendant's plea in this case, waive the Defendant's  
right to remain silent, and execute this in open court on the date previously shown.

\_\_\_\_\_  
DEFENDANT

\_\_\_\_\_  
COUNSEL FOR DEFENDANT