

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,
vs.

CASE NO:

Defendant.
_____ /

ADMISSION OF VIOLATION OF PROBATION/COMMUNITY CONTROL

1. I, _____, the above-named defendant, hereby withdraw my plea(s) of Not Guilty, and admit to violation(s) of condition(s) _____ of my probation/community control order(s). I understand I am on probation community control for the following charge(s): RECKLESS DRIVING CAUSING SERIOUS INJURY (F3), which carries a total maximum penalty of _____ years in state prison.
2. I understand the following paragraphs concerning my violation of probation/community control hearing rights:
 - a. That if the Court accepts my admission(s), I give up my right to a violation of probation/community control hearing, at which I would have had the following rights:
 - (i) to have a hearing, without a jury, before a Judge;
 - (ii) to see and hear the witnesses testify, and to have my lawyer question them for me;
 - (iii) to subpoena and present witnesses and items of evidence in my defense, and to present any defense I might have to the Judge;
 - (iv) to testify or to remain silent at the hearing concerning any new criminal law violations, and I also understand that I can be called to testify at the hearing concerning allegations of any non-criminal violations; and
 - (v) to require the prosecutor to prove my guilty by admissible evidence to the satisfaction of the Judge's conscience before I can be found guilty of violating my probation/community control by the Judge.
 - b. That I give up my right to appeal all matters except the legality of my sentence of this Court's authority to hear this case. My lawyer has explained to me what an appeal is.
 - c. That I understand that if the Court accepts my admission(s) of violating my probation/community control there will be NO HEARING and the Judge will impose sentence(s) based upon my admission(s).
 - d. That the Judge can either put me back on probation/community control with the same or new conditions or the Judge can revoke my probation/community control and sentence me up to the maximum penalty for the charge(s) listed above.
 - e. I have read the violation affidavit in my case and I understand the violation(s) to which I am admitting. My lawyer has explained any possible defenses to the violation(s) to me.
3. Neither my lawyer nor anyone else has told me or promised me that the Judge would restore me to probation/community control or give me a particular sentence, nor has my lawyer or anyone else told me or promised me anything to get me to enter my admission(s) except as set forth below or said in open Court:
 - a. _____ No promises have been made by my lawyer or anyone else.
 - b. _____ The prosecutor has agreed to a revocation of my probation/community control by the Court with the following sentence to be imposed: _____

 - c. _____ The Judge has agreed to _____

4. I understand that if I am on probation/community control for a felony and my admission is accepted by the Judge, the Judge will then sentence me.

Defendant Initials _____

5. I understand and agree that if the judge permits me to stay out of jail pending sentencing, I must notify my lawyer and bondsman or pretrial release officer of any change in my address or phone number, and if the judge orders an Pre-Sentence Investigation (PSI) and I willfully fail to appear for an appointment with the probation officer for the PSI interview, the judge can place me in jail for the PSI interview, or until my sentencing.
6. My education consists of _____. I am not under the influence of any drug, medication or alcohol at the time I sign this admission. I am not suffering from any mental problems at this time which affect my understanding of this admission.
7. Neither my lawyer nor anyone else has pressured, coerced, threatened, or forced me to enter my admission and I am entering my admission voluntarily of my own free will and because

_____ I believe that I am guilty
 _____ I believe that it is in my own best interest

8. I have read every word in this written admission. I have discussed this written admission with my lawyer and I fully understand everything contained in it. I have discussed the maximum penalties for the charge(s) for which I am on probation/community control and the sentencing guidelines/Criminal Punishment Code score and I fully understand them. I have told my lawyer everything I know about this case and these violations. I am fully satisfied with the way my lawyer has handled my violation case for me and I have no complaints.

Defendant's signature: _____

Date of Birth: _____ Age: _____

CERTIFICATE OF DEFENSE COUNSEL

I, the Defendant's Counsel of Record, certify that: I have discussed this case with the defendant, including his hearing rights, the nature of the violations, the evidence against him of which I am aware, the possible defenses he has, the maximum penalty for the charges for the which he is on probation/community control, the sentencing guidelines, and his right to appeal. No promises have been made to the defendant other than as set forth in this form or on the record. I believe he fully understands this written admission, the consequences of entering it, and that the defendant does so of his own free will.

Counsel for Defendant: _____

CERTIFICATE OF PROSECUTOR

I consent to the conditions admitted above and I confirm the promises in paragraph 3(b) have been made.

Assistant State Attorney: _____

RACHEL M. SADOFF
 CLERK OF COURT

SWORN TO BY THE DEFENDANT, SIGNED AND
 FILED IN OPEN COURT, IN MY PRESENCE, AND
 ACCEPTED BY ME THIS _____ DAY OF
 _____, 2021.

By: _____
 Deputy Clerk in Attendance

 Circuit Judge

Defendant Initials _____