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| Superior Court of California, County of San Luis Obispo | | FOR COURT USE ONLY | |
| THE PEOPLE OF THE STATE OF CALIFORNIA | | | |
| vs. | | Plaintiff, | |
| | | Defendant. | |
| ADMISSION OF PROBATION VIOLATION AND WAIVERS | | CASE NUMBER | |
| STATEMENT OF DEFENDANT (ONLY COMPLETED SPACES AND INITIALED BOXES ARE APPLICABLE) | | | Defendant's Initial |
| 1. I have received written notice of probation/conditional sentence and of the evidence upon which it is based. | | 1 | |
| 2. I admit that I violated probation/conditional sentence in the following respects: | | | |
| (A) Failed to pay the fine as directed, even though I had the ability to do so; | | 2(A) | |
| (B) Failed to obey all laws; | | 2(B) | |
| (C) Failed to appear at jail; | | 2(C) | |
| (D) Drove with a blood-alcohol content of .00% or more; | | 2(D) | |
| (E) Drove without a valid California driver's license; | | 2(E) | |
| (F) Failed to show proof of enrollment/completion of DWI School/DDP (SB38); | | 2(F) | |
| (G) Failed to | | 2(G) | |
| (H) | | 2(H) | |
| 3. I understand my constitutional right to have a lawyer defend me at all stages of the proceedings and that if I am unable to afford a lawyer, the court will appoint one for me. | | 3 | |
| (A) My lawyer is _____ and I authorize him/her to appear for me if I am not present; | | 3(A) | |
| (B) I do not have a lawyer representing me in these proceedings (if this is initialed, complete (c) below); | | 3(B) | |
| (C) Having in mind each of the above items, including the possible consequences of a conviction of this offense, and having been advised of the dangers, pitfalls, disadvantages, and possible consequences of representing myself, I knowingly and intelligently GIVE UP (WAIVE) my right to have a LAWYER defend me in these proceedings. | | 3(C) | |
| 4. I have been advised, understand, and knowingly, intelligently, expressly and explicitly GIVE UP (WAIVE) , in relation to these violations of probation, each of my following trial rights; | | | |
| (A) My right to a HEARING . | | 4(A) | |
| (B) My right to be confronted by witnesses against me, that is, to SEE, HEAR, AND QUESTION ALL WITNESSES AGAINST ME . | | 4(B) | |
| (C) My right not to incriminate myself, that is, TO REMAIN SILENT AND NOT TO TESTIFY AGAINST MYSELF . | | 4(C) | |
| (D) My right to PRODUCE EVIDENCE , to have subpoenas issued for witnesses at no cost, and to testify if I want to do so. | | 4(D) | |
| (E) My right to WRITTEN FINDINGS by the Judge as to why he/she found me in violation of probation. | | 4(E) | |
| 5. My decision to make this admission(s) has been made freely and voluntarily, without threat or fear to me or to anyone closely related to or associated with me. No promise or inducements have been made to me in connection with this admission(s), except (specify) | | 5 | |
| 6. I acknowledge that the court (or my attorney if I had one) has told me and I understand the elements of the violation(s), the possible defenses, and the direct consequences of my admission including minimum and maximum sentences. | | 6 | |
| 7. I am making this admission(s) because I did violate probation in the ways alleged. | | 7. | |
| 8. I have read and understand each of the above items. | | 8. | |
| 9. I understand that I have the right to enter my plea before, and to be sentenced by, a judge. I give up this right and agree to enter my plea before, and be sentenced by Commissioner _____, a temporary judge, of the Superior Court. | | 9. | |

DATED: _____

(DEFENDANT'S SIGNATURE)

INTERPRETER'S STATEMENT

I have been duly sworn. I have truly translated this form to the defendant in the Spanish/ _____ language. The defendant said (s)he understood the contents of this form, and (s)he then initialed and signed the form.

DATED: _____

(COURT INTERPRETER SIGNATURE)

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant. I have gone over this form with my client. I have explained each of the defendant's rights to the defendant, and answered all of the defendant's questions with regards to this admission. I have discussed the facts of the defendant's case with the defendant, and explained the consequences of this admission, the elements of the violation(s), and the possible defenses. I concur in this admission and the defendant's decision to waive constitutional rights. The defendant's signature and initials are genuine.

DATED: _____

(SIGNATURE OF ATTORNEY FOR DEFENDANT)

FINDINGS AND ORDERS

1. (A) Defendant has appeared in open court and entered his/her admission after personal questioning by the court. (Strike if inapplicable.)
(B) Defendant appeared through counsel who presented this form. (Strike if inapplicable.)
2. Defendant has been advised of and understands the elements of the violations, the possible defenses, and the consequences of his/her admission(s). Defendant has been given written notice of the probation/conditional sentence violation(s) and of the evidence upon which it is based. Defendant has knowingly, intelligently, and understandingly waived his/her right to a hearing, his/her right to confront witnesses against him/her, his/her right to written findings as they relate to the allegations of probation violation. There is a factual basis for the admission(s). Defendant's waivers of his/her rights, and his/her plea(s) are free and voluntary.
3. Defendant has knowingly and intelligently waived his/her right to counsel including court appointed counsel. (Strike when inapplicable.)

It is ordered that: Defendant's admission be entered.
Defendant found in violation of probation.
This form be filed and incorporated in the docket as though fully set forth therein.

DATED: _____

(JUDGE'S SIGNATURE)