

Guilty/ Nolo Contendere Plea-Attorney

Cause Number MD-346546

The State Of Texas

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In the County

VS

Court at Law Number 2

RICHARD CHENEY

Of Galveston County, Texas

Misdemeanor Plea of ~~Guilty~~/ Nolo Contendere

Comes Now RICHARD CHENEY, defendant in this case, and prior to entering a plea of ~~GUilty~~ NOLO CONTENDRE herein represents to the Court the following: I am mentally competent and I understand that I am charged with the misdemeanor offense of

POM (MB)

for which the punishment is by a fine not to exceed

\$ \$2000, or confinement in the Galveston County Jail not to exceed 180 DAYS, or both.

I understand that I have: the right to a jury trial; the right to compel witnesses to testify on my behalf; the right to confront and cross-examine my accusers; the right to be arraigned and have the charge read to me in open court; the right to remain silent and that anything I say can be used against me; and the right to have ten (10) days after the appointment of my attorney before entering a plea of ~~guilty or nolo contendere~~.

I understand that upon a plea of ~~guilty or nolo contendere~~, with a jury waiver, punishment may be assessed by the court either upon or without evidence at the discretion of the Court; that if I am not a citizen of the United States my plea of ~~guilty or nolo contendere~~ may result in my deportation, exclusion from admission to this county, or denial of naturalization under federal law; that if I am on community supervision or parole, my plea of ~~guilty or nolo contendere~~ may result in the revocation of my community supervision or parole resulting in my further confinement; that if I am found guilty this case may be used to enhance my punishment if I am convicted of another offense; that my plea of ~~guilty or nolo contendere~~ may affect my privilege to drive a motor vehicle in this state or another state; and that if the court does not exceed the agreed recommendation in assessing punishment that my right to appeal my conviction will be limited to matters raised by written motion and ruled upon before trial unless the court gives permission to raise other matters.

Additionally, I understand that if, as a result of my plea of ~~guilty or nolo contendere~~, I am convicted of an offense involving family violence, as defined by Section 71.004, Family Code, it is unlawful for me to possess or transfer a firearm or ammunition.

I am satisfied that the attorney representing me today in court has properly represented me and I have fully discussed the case with my attorney. With a full understanding of my rights, I hereby knowingly and voluntarily waive: the arraignment and the reading of the information; the right of trial by jury; the right to remain silent; the right to confront and cross-examine my accusers; the ten-day waiting period for trial after the appointment of counsel; and any further time to prepare for trial to which I or my attorney may be entitled. I confess that I committed the offense as alleged in the State's information and that each element of the State's pleading is true. In open court I freely and voluntarily enter my plea of ~~guilty or nolo contendere~~ to the offense charged in the information and requests the Court to make immediate disposition of this case based upon my plea.

In addition to the above, I understand that if the judge does not follow the plea bargain, I will be allowed to withdraw my plea and that if the Court does not exceed the agreed recommendation in assessing punishment that my right to appeal my conviction will be limited to matters raised by written motion and ruled on before trial unless the Court gives permission to raise other matters.

Date: 7/1/14

Defendant [Signature]

Guilty / Nolo Contendere Plea-Attorney

M. Fox Caul

Name of Counsel (Please Print)

M. Rose

Counsel for Defendant (Please sign)

The undersigned assistant district attorney, on behalf of the State of Texas, consents to and approves the defendant's waiver of trial by jury.

T. J. Williams

Assistant District Attorney
Galveston County, Texas

After consulting with the defendant and informing the defendant of the nature of the charges, all rights and the consequences of the plea of ~~guilty~~ **nolo contendere** the defendant waived arraignment and decided not to contest this case. The Court finds that the defendant is competent and that the plea was entered only after the defendant knowingly, intelligently and voluntarily waived the right to a trial by jury and all other rights set out above. The Court hereby accepts this plea.

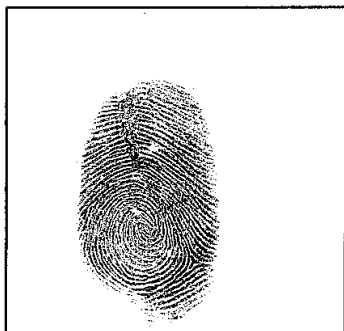
If the plea results in a conviction of a misdemeanor involving family violence, as defined by Section 71.004, Family Code, I notified Defendant of the fact that it is unlawful for Defendant to possess or transfer a firearm or ammunition.

- ☐ The Court finds that there is sufficient information in the record to permit the meaningful exercise of sentencing discretion.
- ☐ The Defendant requests that a presentence investigation report not be made and the Court agree to the request.

DATE: JUL 01 2014

JUDGE: Kerri Toluy

This document was translated verbatim from English to _____



By: _____
(Print Name of Interpreter)

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2014 JUL -1 PM 4:09
A. Sullivan
COUNTY CLERK