



SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY

3180 Del Monte Blvd., Marina, CA 93933

ADVISAL/WAIVER OF CONSTITUTIONAL RIGHTS FOR PLEA BY MAIL

(Infraction Cases)

People of the State of California vs.

Case No.:

You have been charged with the following infraction violation(s):

Due Date:

(The above section is for office use only)

1. You have the right to be present in court, either personally or as represented by counsel, at the time you are advised of your rights, enter a plea, and are sentenced.
2. You have the following constitutional rights:
 - a. The right to a speedy and public trial;
 - b. The right to remain silent and not incriminate yourself;
 - c. The right to confront and cross-examine all witness against you;
 - d. The right at the trial to present evidence in your favor which includes the right to have witnesses subpoenaed to testify in your behalf and to obtain all evidence that may exonerate you; and
3. You have the right to hire and have an attorney defend you at all stages of the proceedings.
4. You have the right to be sentenced no sooner than six hours and no later than five days after a guilty or no contest plea, or a verdict
5. You have the right to have a trial before a judge or court commissioner.
6. While subject to additional statutory fines and penalties, the basic potential penalties include the following:
 - a. For an infraction, up to \$250 on each first offense, unless otherwise specified by statute;
 - b. For a failure to appear/pay fine, a civil penalty of up to \$300, or an arrest/bench warrant, the addition of new misdemeanor charges, and/or license holds and suspensions.

If you have a financial hardship and can show that you are unable to pay the full amount for the offense(s) on your traffic ticket, you may request the court consider your ability to pay in setting or reducing the fine amount, requesting an installment payment plan, or requesting an extension.

I certify under penalty of perjury that: (1) I have read and understand the rights and advisals set forth above; and (2) I understand that if I plead guilty or no contest by mail, I waive (give up) all of the rights set forth above.

I hereby voluntarily waive my rights set forth above and enter a plea of: () Guilty () No Contest
to the following charges: _____

Date: _____

Signature of Defendant

You must return this form to the Monterey Superior Court address marked at the top of this form **on or before the due date indicated above**. If your plea is accepted, a copy of the court order indicating the fine amount and due date will be mailed to you.