

CAUSE NO: _____

THE STATE OF TEXAS VS.: _____

OFFENSE: _____

DATE OF COMMUNITY SUPERVISION: _____

ORIGINAL SENTENCE: _____ Confinement

_____ Community Supervision

FINE:\$ _____ / _____ Probated

\$ _____ Restitution

Deferred Adjudication / Adjudicated

☐ REVOCATION WAIVER WITH ATTORNEY/WITHOUT ATTORNEY ☐

TO THE JUDGE OF SAID COURT:

I, the undersigned Defendant in this case, in which application for Revocation of the Probation granted me in this case has been made by the Criminal District Attorney of Smith County, Texas and the Adult Community Supervision Officer of said Court, in open Court, show to the Court the following:

1. _____ I am represented by _____, Attorney at Law.
 _____ I voluntarily give up the right to have an attorney.
2. _____ I have received and read a copy of the Motion to Revoke Probation. I understand that I am entitled to a reasonable waiting period before such motion to revoke my probation is heard and acted on by the Court. I further _____ tell the Court that I desire an immediate hearing of such application before the Judge of the Court, and for the Judge to decide all matters of fact of law.
3. **I HERE AND NOW ENTER MY PLEA OF:**
 _____ **TRUE** to the statements made in Paragraph number(s) _____ of such motion as grounds for revoking my probation, and I agree and understand that such statements made in said Paragraphs as grounds for revoking my probation are true and correct.
 _____ **NOT TRUE** to Paragraph number(s) _____
 State Abandoned Paragraph number(s) _____
4. I have been told by the Judge of this Court, and I know that I am entitled to confront the witnesses against me, and to require that all witnesses against me testify under oath in open court in my presence and hearing on the trial and hearing of the application to revoke my probation. I understand that I have the right, if I desire to do so, to cross-examine the witnesses against me. I do not desire the benefit of any of these rights. I understand that the attorney representing the State at the hearing of the application will present as fact the paragraphs to which I have plead TRUE. Also, the Judge may consider the facts stated the same as if testified to by the witnesses in my presence and hearing in open Court.

I, the undersigned Defendant, ask the Court to proceed immediately after this paper is signed to hear and try the Motion to Revoke my probation in this case, to accept my statement in this paper that I am guilty of the above mentioned violations of conditions of my probation which are stated as grounds for revocation of my probation in the motion to revoke it; also to receive evidence concerning the facts of this case in the way I have agreed to above and to act on it immediately. I waive for said purposes every provision of the law the effects of which would delay the Court hearing and passing upon the State's Motion to Revoke Probation.

I have willingly and voluntarily signed this waiver, given up the rights and made the agreements as above stated. I know the effect of this waiver, as the Judge has informed me of the possible consequences of a revocation of my probation and the range of punishment the court can assess if it is revoked.

I understand that the Court is not bound by any agreement or recommendation with regard to this proceeding.

DEFENDANT

ATTORNEY FOR DEFENDANT

The foregoing waiver and application filed and represented to the Court on this the _____ day of _____, 20____, are considered APPROVED AND GRANTED on the same date.

RECOMMENDATION:

_____ Confinement _____ Adjudicated Probation _____ Extension
\$ _____ Fine _____ Restitution

SARA MAYNARD, JUDGE
COUNTY COURT AT LAW #2
SMITH COUNTY, TEXAS

OTHER: _____