

vs.

SHYANNE LACY MUNROE

DEFENDANT'S PLEA STATEMENT AND WAIVER OF RIGHTS

Defendant hereby pleads GUILTY to Count(s) _____ of this Accusation.

Defendant hereby pleads NOLO CONTENDERE to Count(s) 1 of this Accusation.

I understand that I may plead not guilty to any charge against me. If I plead not guilty or do not enter any plea, I understand that the law gives me (1) the right to trial by jury; (2) the presumption of innocence; (3) the right to confront witnesses against me; (4) the right to subpoena witnesses; (5) the right to testify and to offer other evidence; (6) the right to assistance of counsel (a lawyer) during trial and at all other stages of the proceedings; (7) the right not to incriminate myself; and (8) the right to appeal an adverse judgment within 30 days. I understand that if I plead guilty or nolo contendere I am waiving, or giving up, each of these rights.

I understand that the total MAXIMUM SENTENCE on all counts could be: Imprisonment: 12 months Fine: \$ 1000 and that the total MANDATORY MINIMUM SENTENCE on all counts is: Imprisonment: _____ days Fine: \$ _____. I understand that, if I plead guilty or nolo contendere to more than one count, the Court may make my sentences run consecutively, that is, one after the other. I understand that if I am on probation or parole, a plea of guilty or nolo contendere to any charge could be used to revoke, that is take away, all or part of my probated or paroled sentence and could result in my serving all or part of that sentence in jail or prison. I understand that the Court or Department of Public Safety may suspend my driver's license or privilege to drive in Georgia based on a plea of guilty or nolo contendere to these charges. I understand the nature of the charges brought against me. I agree that there is a factual basis for the charges. I am not under the influence of alcohol or drugs. I have not been promised anything, and no threats or force have been used to obtain this plea. I understand that if I am not a United States citizen, this plea may adversely affect my immigration status up to and including deportation. I understand that if my rights have been violated or that there were any procedural errors in this proceeding, any challenge to the proceeding would have to be filed within 12 months (180 days for traffic offenses) from this date. I am entering this plea freely and voluntarily. I understand that the judge is not bound by plea negotiations or recommendations by the State. I understand that the judge may impose a lesser sentence, a greater sentence, or follow the recommendation, if any.

DRIVING UNDER THE INFLUENCE cases only: I understand that the MAXIMUM penalties for a first or second DUI within ten years is a fine of \$1000.00 and imprisonment for up to twelve months; and for a third or subsequent DUI within ten years, the maximum fine is increased to \$5000.00. I also understand that the Georgia Department of Public Safety may suspend my driving privileges based upon these charges. I also understand that the MINIMUM penalties for a first DUI within five years are a fine of \$300.00, forty hours of community service and ten days in jail, of which all but 24 hours can be suspended; for a second DUI within five years, a minimum fine of \$600.00, thirty days of community service and at least 90 days in jail, of which all but 72 hours may be suspended; and for a third or subsequent DUI within five years, a minimum fine of \$1000.00, thirty days of community service and at least 120 days in jail, of which all but fifteen days may be suspended.

IF I AM REPRESENTED BY AN ATTORNEY, I have told my attorney all the facts and circumstances that I know about the charges in this accusation. I believe that my attorney is fully informed on all such matters. My attorney has counseled and advised me on the nature of these charges, and I am satisfied with the advice and services he or she has given me. IF I AM NOT REPRESENTED BY AN ATTORNEY, I understand if I cannot afford to hire an attorney, that the Court may appoint an attorney to represent me if I qualify under the appropriate guidelines. I understand that an attorney may be able to discover a defense to the charge(s) pending against me, or could offer evidence which might aid me in sentencing, or could otherwise assist me in this matter. Nevertheless, I understand the consequences of my plea and freely and voluntarily waive my right to an attorney. My decision to enter this plea has been made freely and voluntarily without threat or fear to me or anyone related to or associated with me. No promises have been made to me in connection with this plea other than any plea bargain stated by the Solicitor in open court. I have read or had read to me this Plea Statement and Waiver of Rights, and I fully understand the same, and I knowingly and intelligently waive (give up) the aforementioned rights.

Signed in the presence of the Court on _____, 20____

Defendant's Attorney

Defendant

ACCEPTANCE OF PLEA BY COURT

The foregoing having been tendered in open court, and the Court, after inquiry, being satisfied that (1) the defendant understands the nature of the charges and the consequences and the plea; (2) no promises, force or threats were used to obtain the plea and that the defendant has knowingly, freely and voluntarily waived the foregoing rights and entered the plea; and (3) there is a factual basis for the plea, IT IS HEREBY ORDERED that the defendant's plea be accepted.

This 24 day of May, 2017
Judge, State Court of Gwinnett County

FILED IN OFFICE
RICHARD T. ALEXANDER, JR.

MAY 24 2017

CLERK STATE COURT
GWINNETT COUNTY, GEORGIA