

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America,

Plaintiff(s)

v.

Defendant(s)

CASE NUMBER:

STATEMENT OF DEFENDANT'S
CONSTITUTIONAL RIGHTS

You are here for arraignment and plea upon an indictment or information filed against you, a copy of which will be given to you.

You are **entitled** to a speedy and public trial by jury. If you wish to waive a jury trial, you must be tried by the Court sitting without a jury.

You are **entitled** to be represented by an attorney at all stages of the proceedings against you. If you do not have the funds or the means to hire a lawyer, tell the Magistrate Judge and he/she will appoint an attorney from the Indigent Defense Panel or the office of the Federal Public Defender to represent you without cost to you.

You are **entitled** to see and hear the evidence and cross-examine the witnesses against you. You are **entitled** to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. It is not necessary to prove your innocence. It is the burden of the government to prove, by competent evidence, your guilt beyond a reasonable doubt.

If you desire to plead guilty, you will be further questioned by a Court to ascertain whether or not your plea is voluntary. In the event your plea is accepted, the Court will sentence you after referral to the Probation Officer for a presentence report. This procedure usually takes about ten (10) weeks. Before accepting a plea of guilty, the Judge expects that you have discussed your case fully with your lawyer and have been fully advised of all the defenses you may have. You will be expected to know the maximum and minimum sentence you can receive on your plea of guilty.

Do not plead guilty unless you are, in fact, guilty of the charges made against you in the indictment or information. Do not plead guilty if there have been any threats made against you or any member of your family by anyone. Do not plead guilty if there have been any promises of leniency or a particular sentence made to you by anyone, including your own lawyer. No one has the authority to make any promises to you concerning sentence.

Your case will be referred to one of the Judges of this Court for all other proceedings. The name of the Judge will be drawn after your arraignment and all further proceedings will be before that Judge.

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ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Statement of **Rights** and understand them. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: _____

Signature of Defendant

[or]

I have personally heard a translation in the _____ language read to me and understand the above Statement of **Rights**.

Dated: _____

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated the Statement of **Rights** to the Defendant in the _____ language.

Dated: _____

Signature of Interpreter

Print Name of Interpreter

STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Statement of **Rights** or has heard the interpretation thereof and that he/she understands them.

Dated: _____

Signature of Attorney