

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

THE STATE OF GEORGIA,

CASE NO:

-53

vs.

CHARGE(S):

DEFENDANT

PLEA IN ABSENTIA

I, the above named Defendant, hereby certify that I am a resident of _____ and that I do not anticipate returning to Cobb County, Georgia.

It is my understanding that I have been charge with _____
under O.C.G.A. § _____.

It is my understanding that the District Attorney will recommend a sentence of:

in exchange for a plea of _____
to the amended charge of _____ under O.C.G.A. § _____. It is my
understanding that my case is scheduled for disposition on _____, 2020.

1.

I understand that this recommendation is not binding upon the trial judge. I further understand that the Court can impose a sentence of up to 12 months plus \$1,000.00 on each count on my plea of guilty or nolo contendere.

2.

In my absence, I hereby authorize my attorney to enter a plea of _____ on my behalf, to the above charges and to sign any documents related to the aforementioned case. I request that the court dispose of my case in my absence and waive my presence at all proceedings. No one is forcing me or threatening me to enter this plea, nor have I been promised anything other than the above recommendation. I enter this plea freely and voluntarily.

3.

I am not under the influence of alcohol or drugs, nor am I suffering from any mental or physical disability which would prevent me from understanding the consequences of my plea.

4.

My attorney has fully explained to me the following rights, which I have read or had read to me. I understand that by entering a "guilty" or "nolo contendere" plea, I hereby waive the following rights:

1. The right to a trial with or without a jury.
2. The right to be presumed innocent.
3. The right to confront or cross examine any witness against me.
4. The right to subpoena witnesses and/or documents if I wish, and to have the Court compel production of any persons or documents.
5. The right to present witnesses and evidence on my behalf.
6. The right to examine all physical and documentary evidence against me.
7. The right to remain silent, and not to incriminate myself, and that by pleading not guilty or remaining silent and not entering a plea, I will have a jury trial.
8. The right to decide myself whether or not to testify at trial of this case.
9. The right to assistance of counsel during trial.
10. The right to have court appointed counsel to represent me if I am indigent.
11. The right to appeal to a higher court, except in limited circumstances.
12. The right to require the State to prove its case against me beyond a reasonable doubt.
13. That if I am not a citizen of the United States, a conviction of such impact my
 - immigration status.

5.

In my absence, I hereby enter a plea of _____ to the following charge(s) referenced above.

DEFENDANT:

Sworn and subscribed before me this

_____ day of _____, 2020.

Notary Public SEAL here

ATTORNEY FOR DEFENDANT:

OFFICE OF THE DISTRICT ATTORNEY:

Georgia Bar No.

Date:

Assistant District Attorney

Date:

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

**CRIMINAL ACTION FILE
NO.: _____ -53**

v.

_____,
Defendant.

ORDER

Having reviewed the above Plea in Absentia, it is found to be freely and voluntarily entered into. This Court ACCEPTS said plea and ORDERS its terms to be incorporated as the full and final disposition of the above-styled case.

SO ORDERED, this the _____ day of _____, 2020.

Robert D. Leonard II
Judge, Cobb County Superior Court
Cobb Judicial Circuit