

WAIVER OF RIGHT TO APPEAL

I understand that I have a right to appeal to a higher court, called an appellate court, which is not forfeited by my guilty plea.

I understand that my right to appeal means I can argue issues about my conviction and sentence to a higher court to obtain a reversal or a dismissal; and that if I cannot afford an attorney, and establish that I am indigent, an appellate counsel will be appointed to me by the higher court.

In exchange for, and as a condition of, this guilty plea, I am freely and voluntarily waiving my right to appeal to a higher court. By doing so, I understand that I am not giving up my right to take an appeal by filing a notice of appeal with this court and the District Attorney within 30 days of the sentence.

I understand by waiving my right to appeal, I am giving up the right to have the appellate court consider most claims of error, and I understand that only a limited number of claims will survive this waiver and may be raised in the appellate court, such as, the voluntariness of this plea, the legality of the sentence, and the jurisdiction of the court.

Given the limited number of claims that may be raised in a higher court after a waiver of the right to appeal, I understand that, as a result of this waiver, my conviction and sentence will normally be final.

I HAVE FULLY DISCUSSED THE WAIVER OF THE RIGHT TO APPEAL WITH MY ATTORNEY.

I HAVE READ THE ABOVE AND HAVE NO FURTHER QUESTIONS.

DATED: _____ DEFENDANT: _____

The above was executed in my presence in Court on the above date.

ATTORNEY FOR DEFENDANT

ASSISTANT DISTRICT ATTORNEY