**CAUSE NO.\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**THE STATE OF TEXAS § IN THE 52ND DISTRICT COURT**

**VS. § OF**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ § CORYELL COUNTY, TEXAS**

**VOLUNTARY WAIVER OF RIGHT TO COUNSEL**

**AND**

**ADMONITIONS CONCERNING SELF REPRESENTATION**

On this the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, the defendant in the above styled and numbered cause appears before the Court and acknowledges that the following admonitions have been given him concerning his right to counsel.

1. That the defendant has a right to retain counsel of his choice.
2. That if the defendant is indigent, counsel will be appointed for the defendant by the Court. Indigent means that a defendant is not financially able to employ counsel.
3. That the defendant has a right to represent himself/herself if the defendant does not wish to hire counsel or be represented by appointed counsel as provided by law. That the right to self-representation requires that the defendant knowingly and voluntarily execute the Waiver of Right to Counsel set forth below pursuant to Section 1.051, Texas Code of Criminal Procedure.
4. That the defendant may withdraw a waiver of the right to counsel at any time but is not entitled to repeat a proceeding previously held or waived solely on the grounds of the subsequent appointment or retention of counsel. If the defendant withdraws a waiver, the trial court may in its discretion provide the appointed counsel 10 days to prepare.
5. The Court may, even over a defendant’s objection, appoint stand-by counsel to aid the defendant if and when the defendant requests assistance.
6. That the defendant who represents himself/herself in a criminal trial will be bound by the rules of procedure and evidence as if the defendant were an attorney, that no special consideration will be given because of lack of formal training in the law, and that the defendant may suffer many practical consequences of the waiver of counsel, including, but not limited to the following:

(a). The defendant may forego any error possibly existing in the indictment or other instrument charging him with an offense;

(b). The defendant’s lack of evidentiary knowledge and experience may result in the waiver of any error in admitting and excluding evidence;

(c). The defendant may be convicted upon incompetent, irrelevant or otherwise inadmissible evidence simply because the defendant does not understand how to properly object or exclude such evidence;

(d). The defendant faces the danger of conviction because the defendant does not know how to properly admit any evidence the defendant seeks to introduce.

(e). In all but an extraordinary small number of cases, an accused who undertakes self representation will be unable to adequately present to the jury whatever defenses the defendant may have.

(f). The defendant may be unable to select an impartial jury, object to unfair final argument by the State, or object to error contained in instructions to the jury including any defensive issues.

(g). If a conviction is obtained against the defendant, the defendant cannot argue on appeal that the quality of his own defense amounted to the denial of effective assistance of counsel.

**WAIVER OF COUNSEL**

I have been advised this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by the 52nd Judicial District Court of Coryell County, Texas of my right to representation by counsel in the trial of the charge pending against me. I have been further advised that if I am unable to afford counsel, one will be appointed to me free of charge. Understanding my right to have counsel appointed for me free of charge if I am not financially able to employ counsel, I wish to waive that right and request the Court to proceed with my case without an attorney being appointed for me. I hereby knowingly and intelligently waive my right to counsel.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Defendant

Defendant admonished and waived right to counsel this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge Presiding