

CAUSE NO. _____
INCIDENT NO. _____

THE STATE OF TEXAS

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§
§

IN THE COUNTY COURT

VS.

AT LAW NO. _____
NUECES COUNTY, TEXAS

(ACCUSED/DEFENDANT)

CHARGES(S):

**MAGISTRATE COURT RECORD OF PROCEEDINGS
PURSUANT TO ARTICLE 15.17 CODE OF CRIMINAL PROCEDURE**

I. You are warned and advised as follows:

1. You have the right to remain silent.
2. You have the right to hire your own attorney.
3. You have the right to request the appointment of an attorney if you cannot afford to pay one.
4. You will be allowed a reasonable time and opportunity to consult with your attorney.
5. You have the right to have an attorney present during an interview with peace officers.
6. You have the right to terminate the interview at any time.
7. You are not required to make any statement.
8. You are advised that any statement by you may be used against you at trial in court.
9. You have the right to have an examining trial.

II. The following procedures are now to request a court-appointed attorney:

1. An application needs to be completed to determine if you qualify for a court appointed attorney.
2. Assistance will be provided upon request to assist in filling out the application.
3. Your application needs to be signed.
4. Your application contains an affidavit that is declaration or statement of true facts made by you voluntarily and confirmed by oath before a person having authority to administer such oath.
5. You must show in your application that you cannot afford to pay an attorney.
6. If you qualify, an attorney will be appointed and you will be given the name and telephone number so you can communicate with each other.
7. The Court appointed attorney should contact you within 24 hours.

III. By my signature, I acknowledge being informed of the charge(s) to be filed or pending against me of and of my rights and warnings as set out above herein. It has been explained to me and I understand the range of punishment for Class A and B misdemeanors. I have been advised by the Magistrate or Judge of my right to representation by an attorney in the trial of the charge(s) pending against me. The Court has advised me of the dangers and disadvantages of self representation and that if I choose to represent myself I do so at my own peril and with the understanding that I am responsible for knowing the law and procedures associated with such representation. I further understand that my signature to this document is not an admission of guilt.

I advise the Magistrate of my choice at this time by placing my initials by either (a) (b) (c) or (d):

- _____ (a) I am without means to employ an attorney of my own choosing, and I hereby ask the Court to appoint an attorney for me.
- _____ (b) I want to retain/employ my own attorney at this time and plead Not Guilty. I understand that I will get a trial setting and that I am responsible for any deadlines set if I do not employ an attorney before such deadlines are reached.
- _____ (c) I want to represent myself in this case and plead Not Guilty. **I hereby waive my right to an attorney and request that the Court proceed with my case without an attorney being appointed for me.**
- _____ (d) I do not want to request a court appointed attorney or retain an attorney on my own. I have been advised by the Court of my right to representation by an attorney in this case pending against me. I have been further advised that if I am unable to afford an attorney, one will be appointed at no cost. With this understanding **I hereby waive my right to an attorney and request that the Court proceed now with my case without an attorney being appointed for me.** I further wish to discuss this case with the State's attorney at this time.

(Accused/Defendant's Signature)

This instrument was acknowledged before me, the undersigned Magistrate/Judge of Nueces County, Texas, on the _____ day of _____, 2010, at _____ o'clock ____ m. by the above named person.

- A: I informed the Accused/Defendant of the above warnings and the charge(s) filed, and bond set, if any.
- B: I have reviewed the affidavit of probable cause (does/does not exist) for incarceration of Accused/Defendant.
- C: I have informed the Accused/Defendant of the procedure for requesting court-appointed counsel and assistance has been made available to assist in completing any application.
- D: If the Accused/Defendant has waived his/her right to an attorney, I have determined that it was voluntarily and intelligently done, electing to represent himself/herself, after I warned of the dangers and disadvantages.

Magistrate/Judge

CAUSE NO. _____
INCIDENT NO. _____

THE STATE OF TEXAS

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IN THE COUNTY COURT

VS.

AT LAW NO. _____
NUECES COUNTY, TEXAS

(ACCUSED/DEFENDANT)
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CODE OF CRIMINAL PROCEDURE**

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(Accused/Defendant's Signature)

This instrument was acknowledged before me, the undersigned Magistrate/Judge of Nueces County, Texas, on the _____ day of _____, 2010, at _____ o'clock ____m. by the above named person.

- A: I informed the Accused/Defendant of the above warnings and the charge(s) filed, and probable cause _____ (does/does not) exist.
- B: I have informed the Accused/Defendant of the procedure for requesting court appointed counsel and assistance has been made available to assist in completing any application.
- C: If the Accused/Defendant has waived his/her right to an attorney, I have determined that it was voluntarily and intelligently made, electing to represent himself/herself, after I warned of the dangers and disadvantages of self representation.

Magistrate/Judge