

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

THE STATE OF TEXAS	§	COUNTY COURT AT LAW
	§	
VS.	§	NO. 2
	§	
_____	§	PARKER COUNTY, TEXAS

WAIVER OF LAWYER AND REQUEST TO PROCEED PRO SE

I am \_\_\_\_\_ who is charged with \_\_\_\_\_ in the above cause. I understand that I have the following rights:

- o To have arraignment by this Court (be advised of the charges, range of punishment, and my rights);
- o To have trial by jury;
- o To be represented by a lawyer chosen by me;
- o To have a lawyer appointed to me if I cannot afford one;
- o To have a lawyer inform me of my rights to a trial by a jury and my other rights;
- o To continue to represent myself; and
- o To have ten days after appointment of any lawyer before entering a plea.

I understand:

- o The nature of the charge against me and the range of punishment for the charge;
- o That upon a plea of guilty or nolo contendere with a written, signed waiver of a jury, the Court may assess punishment at its own discretion;
- o That proceeding without a lawyer could result in a conviction or more severe punishment than may have resulted had I been represented by a lawyer;
- o I may withdraw my waiver of counsel under certain conditions;
- o That if I receive deferred adjudication, on violation of probation I may be arrested and detained. Also, I am entitled to a hearing limited to the determination by the Court of whether it proceeds with an adjudication of guilt on the original charge. After an adjudication of guilt, all proceedings, including assessment of punishment, pronouncement of sentence, granting of probation and any appeal, continue as if the adjudication of guilt had not been deferred. The Court may assess punishment anywhere within the range provided by the law for this offense; and
- o That if I am not a U.S. citizen, a plea of guilty or nolo contendere may result in deportation, exclusion from admission into the U.S., or denial of naturalization.

You may be making a big mistake, and the following will explain why:

- A. You will receive no special favors or assistance from the bench;
- B. You will be expected to comply with all relevant rules and procedures;
- C. Your right to self-representation is not a license to abuse the dignity of the courtroom or to get favorable treatment;
- D. The Court may, and will, terminate your self-representation should you deliberately engage in obstructionist or other serious misconduct;
- E. If the Court wishes, standby counsel will be appointed in order to represent you in the event termination of your self-representation becomes necessary, or to aid you if and when help is requested; you have no standing to object to such appointment; and
- F. If choosing self-representation, you will relinquish many of the traditional benefits associated with having a lawyer represent you.
  1. In all but an extraordinarily small number of cases, an accused who undertakes self-representation will lose whatever defense he may have;
  2. You may give up the right to complain of any technical errors in your case;

3. Your lack of evidentiary knowledge and experience will necessarily lead to waiver of errors in the admission and exclusion of evidence;
4. You may be convicted upon incompetence, irrelevant or otherwise inadmissible evidence;
5. You face the danger of conviction, though you be not guilty as a matter of law, because you do not know how to establish reasonable doubt that you are guilty;
6. You specifically forego the right to effective assistance of counsel, and may not be heard later to complain on this ground;
7. In the sense that assistance of counsel is essential to a fair trial and due process of law, you likewise relinquish those guarantees; and
8. Other benefits such as selection of an impartial jury, a fair final argument by the State, errorless instructions to the jury, including any defensive issue.

I have been advised by the Court 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 for me free of charge. I acknowledge that I am an adult, have lived independent of my parents, have sufficient knowledge and education to understand what I am reading or ask questions about portions I do not understand and have no learning difficulties that impede day-to-day living. I will immediately let the judge know of any misunderstandings or questions I have about the information contained on this document.

I have read and understand the foregoing. The Court has this date admonished me of the foregoing rights. I waive arraignment by this Court. I waive my right to a lawyer in this case and request the Court to proceed with my case without a lawyer being appointed for me. I waive my right to counsel.

\_\_\_\_\_  
Defendant's signature

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's e-mail address

\_\_\_\_\_  
Defendant's phone number

Defendant was admonished, demonstrated an understanding of the above, the consequences of the waivers set forth therein and knowingly made such waivers of plea of guilty/nolo contendere.

\_\_\_\_\_  
Judge presiding

\_\_\_\_\_  
Date