

No. \_\_\_\_\_

STATE OF TEXAS

§

IN THE COUNTY COURT AT LAW

§

VS.

§

OF

§

§

WALKER COUNTY, TEXAS

WAIVER OF COUNSEL

WHEREAS, the above named Defendant, before entering into any discussions regarding the above case, has declared in open court the following:

1. I am fully aware of the offense of which I am charged.
2. I am fully aware of the range of punishment.
3. I have never experienced any mental or emotional problems, been adjudged incompetent, or consider myself illiterate.
4. I understand that I have the right to have an attorney to represent me in this case. I understand that I can request a continuance of the hearing in order to hire an attorney. I understand that, if I feel that I am unable to hire an attorney, I can request the court to decide whether I can have a court-appointed attorney to represent me in this cause. I understand I may request an attorney at any time prior to the acceptance of this Waiver by the court. I understand that I can represent myself.
5. I have been advised that there are numerous technical rules governing the conduct of trial (as to procedure, admission of evidence, etc.) and that "presenting a defense is not a simple matter of telling one's story". I understand that I have the right to remain silent. I do not have to talk to the District Attorney about my case. I have the right to stop discussions at any time and remain silent. I do not have to testify before the court.
6. I understand that I do not have to enter into an agreement with the District Attorney, and may have the court or jury hear the evidence and decide this case. I also understand that the court does not have to accept any agreement I make with the District Attorney.

7. I have been duly advised of the dangers and disadvantages of self-representation.
8. I have a constitutional right to have counsel represent me in this matter, and I have had sufficient time to employ counsel to represent me.
9. I can afford an attorney, I am not indigent, and I have, on my own desire, chosen to represent myself.
10. I freely, voluntarily and without duress and with knowledge of the consequences thereof, hereby waive my right of representation by counsel in the trial of the charge pending against me, and I give up my right to have the court decide whether I can have a court-appointed attorney to represent me.
11. I have been advised this \_\_\_\_\_, 20\_\_\_\_ by the Judge of the Walker County Court at Law of my right to representation by counsel in the case 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. 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 waive my right to counsel.

The Court having taken every measure to advise the defendant against representing himself/herself and of the disadvantages there of, finds the waiver is voluntary and intelligently made. The Court accepts the waiver and ORDERS it be made part of the record.

SIGNED this \_\_\_\_\_, 20\_\_\_\_\_.

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Defendant

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Tracy Sorensen, Presiding Judge