

PERSONAL STATEMENTS

1. Why should you be considered for the Deferred Prosecution Program?

2. What do you hope to learn from this program?

3. Use this space for any further information you wish to add:

CERTIFICATE

BEFORE ME, the undersigned Notary Public, in and for the State of Texas, on this day personally appeared _____, who after being duly sworn deposes and says:

I swear the answers I gave to each and all of the foregoing questions true and correct.

Signature of Applicant

SUBSCRIBED AND SWORN to before me this _____ day of _____, _____.

Notary in for the State of Texas

My commission Expires: _____

NO. _____

THE STATE OF TEXAS § IN THE _____
VS. § COURT _____ OF
[DEFENDANT] § TARRANT COUNTY, TEXAS

WAIVER OF RIGHTS AND JUDICIAL ADMISSIONS

I, _____, the Defendant herein, voluntarily and knowingly waive the following rights:

Waiver of Right to Counsel

I understand that, if accepted into the Deferred Prosecution Program, I will be placed on an informal and unofficial probationary period to be determined by the Tarrant County Criminal District Attorney’s Office. As part of that program, I will need to communicate with attorneys and staff of the Tarrant County Criminal District Attorney’s Office. I also understand that I have a right to counsel under the United States and Texas Constitutions. After being fully informed of my rights, I hereby waive my Constitutional rights to counsel to the extent necessary for participation in the Program so that I can communicate with attorneys and staff members of the Tarrant County Criminal District Attorney’s Office outside the presence of my attorney.

(initials)

Waiver of Right to a Speedy Trial

I understand that I have the absolute right to a speedy trial under the United States and Texas Constitutions and under the Texas Code of Criminal Procedure. After being fully informed of my rights, I believe that a speedy trial is not in my best interest and I hereby waive my Constitutional and statutory rights to a speedy trial. I further waive any right to move for discharge under the speedy trial provision prior to trial.

(initials)

Waiver of Right to an Indictment

I understand that I have the right to an indictment by a grand jury in a felony case. After being fully informed of my rights, I believe that an indictment is not in my best interest and I hereby waive my right to a grand jury indictment.

(initials)

Waiver of Right to Confront and Cross-Examine Witnesses

I understand that I have the right to confront and cross-examine witnesses against me under the United States and Texas Constitutions and under the Texas Code of Criminal Procedure. After being fully informed of my rights, I hereby waive my Constitutional and statutory rights to confront and cross- examine witnesses against me. If I am charged with possession of marihuana, a dangerous drug or any other controlled substance, I specifically waive my right to confront witnesses to the possession or testing of the drugs, and my right to contest any drug testing results related to this charge._____.

(initials)

Waiver of Right to Remain Silent

I understand that I have the right to remain silent and not to be compelled to give evidence against myself under the United States and Texas Constitutions and under the Texas Code of Criminal Procedure. After being fully informed of my rights, I hereby waive my Constitutional and statutory right to remain silent and not to be compelled to give evidence against myself. I understand that any judicial confession, admission or stipulation may be admitted against me in a court of law and may serve as a legally binding confession to the offense of_____.

(initials)

Judicial Confession, Admission and Stipulation of Evidence

I, by my signature below, and after being fully advised of my rights connected with this case and the consequences of waiving those rights by my attorney of record,

do admit that, in Tarrant County, on or about the_____,
did commit the offense of_____. I am
guilty of the instant offense and all lesser included offenses.

(initials)

Waiver of Additional Drug Testing

I specifically waive any drug testing related to this case; and admit and stipulate that the substance in my possession was_____.

(initials)

Agreement to Limited Expunction

I understand that upon successful completion of Deferred Prosecution Program (DPP), I will be entitled to an expunction under the Texas Code of Criminal Procedure. An expunction is the destruction of arrest records and files. I understand that once an expunction order becomes final, the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited.

I voluntarily, knowingly and intelligently waive my right to have all records and files of the arrest in criminal case expunged. I agree that the scope of any expunction order must be limited to permit the Tarrant County Criminal District Attorney's Office to retain a record of my participation in DPP and a copy of this waiver. The record of participation will include my name, the date and offense filed, and will be used for the future limited purpose of determining whether a DPP applicant is ineligible because of the applicant's prior participation in DPP. The Criminal District Attorney shall maintain this list as a confidential work product document. Similarly, the Criminal District Attorney shall maintain a copy of this signed waiver. Both documents will be maintained for five years from the date of disposition and will not be disclosed to the public or any other government agency unless required by law, including, but not limited to a court order or statute.

(initials)

SIGNED this ___ day of _____ 20__.

Defendant Signature

Defendant Printed Name

Case Number

APPROVED:

Attorney for Defendant