

CAUSE NO. CR

THE STATE OF TEXAS
VS

§ IN THE COUNTY COURT
§ AT LAW NO. ☐ 1 ☐ 2 OF
§ HUNT COUNTY, TEXAS

ADMONISHMENTS AND ORDER REGARDING SELF-REPRESENTATION

Comes now Defendant in the above-styled cause and files this Acknowledgment of Admonishments Regarding Self-Representation. Defendant states as follows:

1. I am not now under the influence of alcohol, a drug, a dangerous drug, a controlled substance, or any combination thereof. I am in my right mind, I understand what I am doing, and I am competent to make these statements and execute this document.
2. I understand that I have been charged with the following criminal offense that carries the following range of punishment:
Offense: _____
☐ Class A Misdemeanor – Up to 365 days in jail and/or up to a \$4,000 fine
☐ Class B Misdemeanor – Up to 180 days in jail and/or up to a \$2,000 fine
3. ☐ I **have not** been diagnosed with any mental illness or intellectual disability; or
☐ I **have** been diagnosed with the following mental illness(s) or intellectual disabilities:
Mental Illness/IDD: _____
4. ☐ I **can** read and write English; or
☐ I **cannot** read and write English.
5. The highest level of education I attained was:
☐ Jr. High ☐ High school ☐ GED
☐ Associate's degree ☐ College ☐ Masters ☐ Doctorate
6. I understand I have the right to remain silent; I have the right to make a statement relative to the accusation brought against me, but I cannot be compelled to make any statement whatsoever; if I waive my right to remain silent and I answer a question or make a statement, it may be used in evidence against me in court; and I have the right to terminate an interview with peace officers or attorneys representing the State at any time.
7. I understand I have the right to speak to an attorney prior to, and to have such an attorney present during, any interview with peace officers or attorneys representing the State; and, if I am charged with an offense punishable by confinement in the jail and I am unable to afford to hire an attorney, I have the right to request an attorney be appointed to represent me at no cost to me.
8. I understand if I am not a United States citizen, I have the right to contact my country's Consulate prior to any questioning; and a conviction for the offense with which I have been charged could result in my deportation from or exclusion from admission to this country or in the denial of my naturalization under Federal Law.
9. I understand a licensed attorney will have formal education, training and experience regarding the law applicable to my case including, but not limited to, the Texas Penal Code, the Texas Code of Criminal Procedure, and the Texas Rules of Evidence. If I am not an attorney, I will not have that education, training, or experience.
10. I understand if I proceed without an attorney, I will be responsible for following the laws, rules and procedures the same as a licensed attorney, and my lack of legal education, training and experience will not excuse me from those same laws, rules and procedures.
11. I understand an attorney might identify possible defenses to the charges against me and/or potential violations of my constitutionally protected rights which might help my case but which I may overlook because I lack formal training and experience in the practice of law.

12. I understand an attorney could obtain discovery/information about my case from the State which might be helpful in preparing my defense, if any, but because I lack an attorney's legal training and experience, I may fail to obtain such information or make good use of it.
13. I understand there may be collateral consequences of a conviction or plea that I am not aware of, including but not limited to increased penalties for subsequent offenses, suspension of driver's license, the restriction of the right to possession of firearms and or ammunition, immigration status and custodial rights.
14. I understand an attorney might file motions and make requests which could be helpful to my case but which I may not know are possible or how to accomplish.
15. I acknowledge the Court has admonished me regarding my right to have an attorney represent me in this case, including the right to have an attorney appointed to represent me at no cost to me if I am facing possible jail time if convicted and I am unable to afford to hire an attorney.
16. I understand I will not receive advice, guidance or help from the court. If the case is appealed the appellate court will not create arguments for me. I will not be allowed to claim ineffective representation if I represent myself. The court has advised me not to represent myself and urged me to obtain an attorney.
17. I have been advised this day by the Judge Presiding in this court of my right to representation by counsel in the case(s) 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.**
18. I understand that I may withdraw this waiver at any time, but I am not entitled to repeat a proceeding previously held or waived solely on the grounds of the subsequent appointment or retention of counsel. If I withdraw this waiver, the court, in its discretion, may provide the appointed counsel with 10 days to prepare.
19. I am signing this document freely, voluntarily, intelligently and knowingly. No one has threatened, coerced, harassed or intimidated me into signing. I have not been promised anything.

Date

DEFENDANT

ORDER REGARDING SELF-REPRESENTATION

Having received this Acknowledgment of Admonishments Regarding Self- Representation, having adequately admonished Defendant regarding the same, and having inquired into the acceptability of Defendant's choice to represent himself, the Court now rules and finds as follows:

- ☐ **GRANTED.** The Court finds Defendant is competent to waive his right to be represented by an attorney and has done so knowingly, intelligently and voluntarily. Further, self-representation is appropriate for this defendant in this case. Therefore, Defendant is permitted to represent himself in this case. It is Ordered that Defendant is heretofore representing himself.
- ☐ **DENIED.** The Court finds self-representation by this Defendant in this case is not appropriate. Therefore, Defendant is not allowed to represent himself/herself in this case.

SIGNED ON THE FOLLOWING DAY OF _____.

JUDGE PRESIDING