## **FORM K**

	STATE OF HAWAI'I CUIT COURT OF THE CIRCUIT	[] GUILTY PLEA [] NO CONTEST PLEA [] MOTION TO DEFER							
CASE	NILIMPED.								
CASE	CASE NUMBER:								
STATE OF HAWAI'I vs. (Defendant)									
Year of	Birth: Defend E(S)/HRS:	dant's Age: Educa MAXIMUM IMPRISONMENT/FINE:	ation (Last Grade Completed):  REPORT NUMBER(S):						
Evtond	ad Tarm of Imprisonment:	Mondatory Minimum Torm of	Impringnment						
Extended Term of Imprisonment: Mandatory Minimum Term of Imprisonment:									
1.	My mind is clear and not under the influence of any illicit drugs, alcohol, or prescribed medication. I am not sick. I speak, read, write, and understand the English language or this document has been read to me or has been interpreted for me.								
2.	I have received a written copy of the original charge(s) in this case. The charge(s) has/have been explained to me. I understand the original charge(s) against me. I told my lawyer all of the facts I know about the case. My lawyer explained the State's evidence against me, my possible defense(s), and the facts which the State must prove in order to convict me.								

- 3. I understand the reduced charge(s) with which the State has agreed to charge me, instead of the original charge(s). (Applicable only if original charge has been reduced.)
- 4. I plead of my own free will. No one is pressuring me or threatening me or any other person to force me to plead. I am not taking the blame or pleading to protect another person from prosecution.
- 5. I know I have the right to plead not guilty or to persist in that plea\_and have a speedy and public trial by jury or by the court. I know in a trial the State is required to prove my guilt beyond a reasonable doubt. I know I can see, hear, and question witnesses who testify against me, and that I may call my own witnesses to testify for me at trial. I understand I have the right to take the stand to testify and I have the right not to testify at trial. I know by pleading I give up the right to file any pre-trial motions, and I give up the right to a trial and may be found guilty and sentenced without a trial of any kind. Except in certain limited circumstances, I also give up the right to appeal anything that has happened in this case to date.

[] Prosecutor [] Defendant [] Defense Counsel [] Adult Client Services Branch

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GUILT	GUILTY/NO CONTEST PLEA (Continued)  CASE NUMBER:							
6.	I further understand that for misdemeanor and felony offenses: (a) twelve members of the community make up a jury; (b) in a jury trial, I may take part in jury selection; (c) in a jury trial, the jury's verdict must be unanimous; and (d) if I waive a jury trial, the judge alone will decide whether I am guilty or not guilty.							
7.	I understand that the court may impose any of the following penalties for the offense(s) to which I now plead: the maximum term of imprisonment, any extended term of imprisonment, and any mandatory minimum term of imprisonment specified above; consecutive terms of imprisonment (if more than one charge); restitution; a fine; a fee and/or assessment; community service; probation with up to 2 years of imprisonment and other terms and conditions. I further understand that: (a) the court must order restitution for reasonable and verified losses requested by a victim or when the crime victim compensation fund makes an award; (b) the court cannot waive the restitution amount or convert it to community service; and (c) unless the amount of restitution has already been determined, the court cannot determine what a possible restitution amount will be until a later time.							
8.	[	]	I plead no contest because, after discussing all the evidence a lawyer, I do not want to contest the charge(s) against me.	nd receiving advice on the law from my				
	[	]	I plead guilty because, after discussing all the evidence and re lawyer, I believe that I am guilty. (Give a brief statement of the offense to which you are entering a plea pursuant to the requir 702-205, and 702-206, as amended.)	facts that establish your guilt as to each				
	[	]	I move to defer acceptance of my plea. I understand that if the then find and adjudge me guilty upon this plea, and impose se					
9.	I have not been promised any kind of deal or favor or leniency by anyone for my plea, except that I have been informed that the State has agreed as follows (if none, write "None"):							
	[		I have reviewed with my lawyer a written copy of the agreemen					
	[	]	I know that the court is not required to follow any deal or agree					
	[	]	know that the court has not promised me leniency.  The court has agreed to follow the plea agreement pursuant to Procedure.	Rule 11, Hawaiʻi Rules of Penal				
10.	I further state that (if none, write "None"):							

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GUILTY/NO CONTEST PLEA (Continued)						CASE NUMBER:		
11.	I understand that:							
	[	]	If I am not a citizen of the United States, whether or not I have lawful immigration status, I have the right to receive advice from my lawyer about the specific impact that this case will have, if any, on my immigration status.					
	[	]	The entry of a guilty or no contest plea, admission of guilt or sufficient facts, or conviction, deferred judgment or deferred sentence may have the consequence of my immediate detention, deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.					
	[	]	In some cases, detention and deportation from the United States will be required.					
	[	]	My lawyer must investigate and advise me about the aforementioned issues prior to the commencement of trial, entry of a guilty or no contest plea, or admission of guilt or sufficient facts to establish any offense punishable as a crime under state law, other than those offenses designated as infractions, and I acknowledge that I have been so advised.					
	[	] I am not required to disclose my immigration status or citizenship status to the court.						
12.	no pre	t be p	permitted to withdraw my	y plea except in certain limite	ed circumst	ver all of it with my lawyer. I know I will ances. I am signing this form in the n satisfied with what my lawyer has		
DATE				DEFENDANT'S SIGNATURE				
				05571510475 05 001	11.10=1			
CERTIFICATE OF COUNSEL I certify that I have read and explained fully this Guilty/No Contest Plea document to the defendant and believe the defendant understands this document in its entirety. The statements contained in this document conform with my understanding of the defendant's position. I believe the defendant's plea is made voluntarily and with an intelligent understanding of the nature of the charge(s) and possible consequences. The defendant signed this Guilty/No Contest Plea document in my presence. I further certify that I have complied with Rules 1.2(a) and 1.4 of the Hawai'i Rules of Professional Conduct.								
DATE	ATTORNEY FOR DEFENDANT SIGNATURE							
I acknowledge that the Judge questioned me personally on the record during a hearing to make sure that I knew what I was doing in pleading guilty or no contest and understood this document before I signed it.								
DATE	TE DEFENDANT'S NAME				DEFENDAN <sup>*</sup>	T'S SIGNATURE (signed after questioning by the court)		
JUDGE								

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