

**IN THE MUNICIPAL COURT  
CITY OF DELTA, STATE OF COLORADO  
ADVISEMENT OF RIGHTS**

You have been charged with an offense of the ordinances of the City of Delta, Colorado. You should understand the following rights before entering a plea.

1. You need not make any statement: Any statement you make can and may be used against you.
2. You are presumed innocent of the charge(s) pending against you, and that presumption of innocence will remain with you throughout the proceeding.
3. You have the right to be represented by counsel and if indigent the right to appointed counsel if a jail sentence is involved.
4. You have a right to have the nature of the charges explained to you.
5. You have the right to ask for a continuance before entering a plea, for good cause shown.
6. Any plea you make must be voluntary and not the result of undue influence or coercion on the part of anyone.
7. You have the right to plead guilty or with the consent of the court nolo contendere (no contest).
8. If you plead not guilty you have the right to have a trial to the court: Or to a jury of three (3) to six (6) persons upon filing a written request with the clerk of this court and making a jury deposit in the amount of \$25.00 within twenty (21) days from today. Pursuant to Colorado Law Juveniles have no right to a trial by jury.
9. You have the right to be confronted by witnesses called against you, and to cross-examine those witnesses.
10. You have the right to have subpoenas issued by this court to secure the attendance at your trial of any witnesses you wish to testify on your behalf.
11. You have the right to testify or not in your own behalf at your trial. If you do not testify, your silence will not be held against you.
12. After the trial is over, you have the right to appeal a conviction to the Delta County Court.
13. You have the right to bail if you have been arrested and to request from the court a reduction in the amount of bail or release on personal recognizance.
14. The maximum sentence this court may impose is a one thousand dollar (\$1,000.00) fine or imprisonment of not more than one (1) year in the Delta County Jail or both fine and imprisonment. The judge has the discretion of eliminating the possibility of the jail sentence.

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Date

**C.M.C.R. Rule 211 and C.R.S 16-7-207**

**Plea of Guilty / No Contest**

- A. I acknowledge that I understand the nature of the charge and the elements of the offense and the effects of the plea.
- B. I am entering my plea of guilty/no contest voluntarily and not as a result of coercion or undue influence on the part of anyone. There has been no force, threats or promises made, to cause me to enter this plea.
- C. I understand that I am waiving and forfeiting my right to have a trial, either by a jury trial, or a trial to the judge.
- D. I acknowledge that I understand the possible penalty or penalties and the possible place of incarceration.
- E. I acknowledge that I understand that the court will not be bound by any representations made to the Defendant by anyone concerning the penalty to be imposed or the granting or denial of probation, unless the representations are included in a formal plea agreement approved by the court.
- F. I acknowledge that there is a factual basis for the plea.
- G. I understand that if I am not a citizen of the United States and I plead guilty or nolo contendere ("no contest") to a crime, this plea may cause collateral consequences including but not limited to deportation or removal, exclusion from the United States, or denial of naturalization.

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Date

The court finds that the defendant has entered his/her plea to the charge(s) voluntarily and knowingly with full understanding of his/her rights, the nature of the charge or charges and the possible penalties. Therefore, the court accepts the plea and enters judgment on the plea.

\_\_\_\_\_  
Municipal Judge

\_\_\_\_\_  
Date