

**Washington City Justice Court
111 North 100 East
Washington UT 84780
Judge Lee L. Bunnell
(435)-656-6350
FAX 435-656-6372**

Washington City)
Plaintiff)
) **PLEA IN ABEYANCE**
 vs.) (Traffic)
)

Defendant (s)) Case No. _____

The above named Defendant hereby appears either in person or through counsel and pleads guilty/ no contest (circle one) to the following charge(s) of:

1. _____
2. _____
3. _____

The defendant further acknowledges:

1. That prior to entering a plea Defendant was advised of Defendant's constitutional right to counsel by the court, and that Defendant understands that right, and does knowingly and intelligently waive the right to counsel.
2. That defendant has been advised of the elements of the offense to which the Defendant has plead and the possible penalties in the event of a conviction.
3. That Defendant's plea of guilty or no contest was made knowingly and voluntarily.

WHEREAS, Washington City believes that the interest of the City and the interest of Justice will best be served by entering into this agreement, and

WHEREAS, chapter 2, of title 77 Utah Code Annotated provides statutory authority for this procedure.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. By signing this agreement, the Defendant does hereby certify that he/she understands his/her constitutional rights regarding criminal prosecution and that by entering into this agreement Defendant knowingly and intelligently waives time for sentencing as designated in Rule 22(a), Utah Rules of Criminal Procedure.

2. The Defendant agrees to pay a non-refundable plea in abeyance fee of \$_____ which does not exceed the maximum fine which could have been imposed upon conviction of the same offense(s).

Breakdown of non-refundable plea in abeyance fee:

Bail Schedule Amount _____
State Surcharge Amount _____
Plea in Abeyance Fee _____
Total Amount of fee _____

3. The Defendant agrees to pay full restitution to the victims of Defendant's actions as provided in section 76-3-201, Utah Code Annotated.
4. Judgment and sentencing of the above charges will be held in abeyance and the Defendant will be placed on probation for a period of 6 months.
5. Defendant hereby agrees not to violate any provisions of the Utah Traffic Code, Title 41, UCA and that during the period of probation the Defendant agrees to notify the above-entitled Court of a conviction of any traffic laws, Title 41, Utah Code Annotated. Any such violation shall result in the Defendant being ordered to show cause as to why the Court should not find that the terms of this Agreement have been violated, why the agreement should not be terminated and judgment of conviction and imposition of sentence be imposed.

It is mutually agreed that if the Defendant abides by the terms of this agreement for the period of the above-stated probation, the above-stated charges shall be dismissed.

I hereby certify and state that the above has been read to me and explained to me and I understand the requirements and conditions of the plea in abeyance and agree to fully comply with all requirements and conditions contained herein.

Dated this _____ day of _____, 20_____.

Defendant

Dated this _____ day of _____, 20_____.

City Attorney

Dated this _____ day of _____, 20_____.

Lee L. Bunnell, Justice Court Judge