

Sample Form 21

PLEA AGREEMENT

[] State of Alabama
[] Municipality of _____
_____ v. _____
Defendants

Case Number

STATE OF ALABAMA
In the _____ Court
of _____ County
[The City/Town of _____]

After discussion and negotiation between the parties, after a full explanation of rights has been given to defendant as evidenced by the attached Explanation of Rights form, and after such disclosure of information between the parties as each deems sufficient, it is agreed in this case, subject to acceptance by the Court, that:

- 1. Defendant will enter a plea of guilty:
 - [] As charged in the complaint/information/indictment.
 - [] To the charge of _____, and the Prosecutor will move for dismissal with prejudice of all other offenses charged in the complaint/information/indictment.
- 2. [] The prosecutor will recommend to the Court that the defendant be given a sentence of _____.
- [] The prosecutor will not oppose the Court's giving the defendant a sentence of _____.
- 3. [] The prosecutor will recommend to the Court that the sentence given to defendant by the Court be suspended and the defendant be placed on probation for a period of _____.
- [] The prosecutor will not oppose the Court's suspending the sentence given to defendant and placing defendant on probation.
- 4. [] (Any other matters agreed upon.) _____

Date

Signature of Defendant

Signature of Defendant's Counsel

Signature of Prosecutor

Having reviewed the above agreement entered into by defendant and the prosecutor, and having reviewed the presentence report, the Court hereby:

- [] Accepts the Plea Agreement. The disposition provided herein will be embodied in the judgment and sentence.
- [] Rejects the Plea Agreement; therefore, the plea agreement does NOT bind the defendant, the prosecutor, or the Court to any of the above provisions.

Notice to Defendant

Since the agreement has been rejected, you may withdraw your offer to the prosecutor to plead guilty to the charged offense. If you do decide to plead guilty, the disposition of the case may be either more or less favorable to you than contemplated in the agreement.

The Court will allow the prosecutor to change his recommendation and the parties may submit further plea agreements for the Court's consideration.

Date

Judge

Rule 14.3