



STATE OF RHODE ISLAND JUDICIARY

SUPERIOR COURT

REQUEST TO ENTER PLEA OF NOLO CONTENDERE OR GUILTY

State of Rhode Island v. Defendant	Case Number
	Bureau of Criminal Identification Number
Charges	Penalty

I, the above-named Defendant, do hereby request court permission to withdraw my present plea of Not Guilty and to enter a plea of Nolo Contendere or Guilty. I understand that the plea of Nolo Contendere is for all purposes the same as a plea of Guilty and that I will be admitting sufficient facts to substantiate the charge(s) which has (have) been brought against me in the case to which this plea relates. I understand that by changing my plea I will be giving up and waiving each and all of my rights as follows:

1. My right to a trial by jury, or by a judge sitting without a jury, and my right to appeal to the Supreme Court from any verdict or finding of guilt.
2. My right to have the State prove each and every element of the charge(s) against me by evidence and proof beyond a reasonable doubt.
3. My right to the presumption of innocence.
4. My privilege against self-incrimination.
5. My right to confront and cross-examine the State's witnesses against me.
6. My right to present evidence and witnesses on my own behalf and to testify in my own defense if I choose to do so.
7. My right to appeal to the Rhode Island Supreme Court from the sentence imposed by this court after the entry of my plea of Nolo Contendere or Guilty.
8. My right to have this court obtain and consider a pre-sentence report before the imposition of sentence by this court.
9. My right to file a motion for a reduction in sentence but not my right to file for a motion to terminate sentence pursuant to Rule 35(c) if deemed eligible.

☐ I understand that by entering a plea of nolo contendere or guilty, resulting in a filing, probation, or conviction of offense as enumerated in G.L. 1956 § 12-29-2, in addition to any other sentence or penalty, I will be prohibited from purchasing, owning, carrying, transporting, or having in my possession, care, custody, or control any firearm pursuant to G.L. 1956 § 11-47-5 and will be ordered to surrender all firearms in my ownership, possession, care, custody, or control pursuant to G.L. 1956 §§ 11-47-5.3 or 11-47-5.4.

No promises have been made by my attorney, the state's attorney, or the court, other than the fact the court has agreed to impose the sentence in addition to whatever money costs are imposed by law.



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Sentence

I understand that if the court imposes the sentence referred to above, I will not be permitted to withdraw my plea of Nolo Contendere or Guilty except by permission of the court.

I also understand that this conviction will result in the loss of my right to vote only if I am incarcerated, for as long as I am incarcerated, and that my voting rights will be restored upon my release.

I understand that if I am a resident alien, a sentence imposed as a result of my plea may result in deportation, exclusion of admission to the United States, and/or denial of naturalization pursuant to the laws of the United States, and that this court will have no control over those proceedings.

I have discussed the entire contents of this form with my attorney, who has explained it to me. I have no questions as to what it states or what it means, and I understand it completely. I swear to the truth of the above.

Defendant's Name:	Date
Defendant's Signature:	
WITNESS (Attorney for the Defendant)	Rhode Island Bar Number
Print Name _____	Date
/s/ _____ Attorney for the Defendant	

CERTIFICATE OF JUDICIAL OFFICER

This certifies that the defendant has come before me, in the presence of counsel, and presented this request, affidavit, and attorney's certification. Thereupon, I addressed the defendant personally in open court and established by responses to my questions that the defendant has been fully informed of the contents of the affidavit, all of the rights enumerated therein, and the nature and consequences of this plea as set forth therein. The defendant has also been made aware of the range of punishment which may be imposed. The court finds the defendant has the capacity to understand all of the above.

I am satisfied by the prosecutor's statement of the facts, the defendant's answers, and the content of the affidavit that there is a factual basis for the plea. I find that this plea is made voluntarily, intelligently, and with knowledge and understanding of all matters set forth within this Request to Enter a Plea of Nolo Contendere or Guilty and the plea is hereby accepted.

Entered as an Order of the court on _____.	_____ Judicial Officer
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