

IN THE JUSTICE COURT OF DAYTON TOWNSHIP
IN AND FOR THE COUNTY OF LYON, STATE OF NEVADA

Name _____

Case No. _____

AGGRESSIVE DRIVING/MISDEMEANOR RIGHTS

I understand the elements of the crime and that I am charged with AGGRESSIVE DRIVING. That this is a misdemeanor violation of NRS 484.3765.

I AM AWARE THAT I HAVE EACH OF THE FOLLOWING RIGHTS AND THAT I WILL BE WAIVING THESE RIGHTS IF I PLEAD GUILTY OR NOLO CONTENDERE:

1. The right to a speedy trial;
2. The right to be represented by a lawyer now, and at every stage of these proceedings;
3. The right to require the State to prove the charge(s) against me beyond a reasonable doubt;
4. The right to confront and question all witnesses against me;
5. The right to subpoena witnesses on my behalf and compel their attendance;
6. The right to remain silent and not be compelled to testify if there were a trial; and
7. The right to appeal my conviction except on constitutional or jurisdictional grounds.

I AM ALSO AWARE THAT BY PLEADING GUILTY OR NOLO CONTENDERE I AM ADMITTING THE STATE COULD FACTUALLY PROVE THE CHARGE[S] AGAINST ME. I AM ALSO AWARE THAT MY PLEA OF GUILTY OR NOLO CONTENDERE MAY HAVE THE FOLLOWING CONSEQUENCES:

1. I understand the State will use this conviction, and any other prior conviction from this or any other State which prohibits the same or similar conduct, to enhance the penalty for any subsequent offense;
2. I understand that, as a consequence of my plea of guilty or nolo contendere, if I am not a citizen of the United States, I may, in addition to other consequences provided by law, be removed, deported or excluded from entry into the United States or denied naturalization;
3. I understand that sentencing is entirely up to the court and the following penalties for committing the offense described above will apply:

FIRST OFFENSE

Punishable by a fine of not less that \$250.00 but not more than \$1000.00; or by both fine and imprisonment in the county jail for not more than 6 months.

SECOND OFFENSE

Punishable by a fine of not less that \$1000.00 but not more than \$1500.00; or by both fine and imprisonment in the county jail for not more than 6 months.

THIRD OFFENSE

Punishable by a fine of not less that \$1500.00 but not more than \$2000.00; or by both fine and imprisonment in the county jail for not more than 6 months.

ADDITIONAL PENALTIES

For the first offense in 2 years the court shall order the driver to attend, at his own expense a course of traffic safety approved by Nevada DMV and may issue an order suspending the driver's license of the driver for not more than 30 days. For second or subsequent offense within 2 years, the court shall issue an order revoking the driver's license of the driver for a period of 1 year. The court will use the date of each offense to determine enhancements. If the court issues an order of suspension, the court shall require the driver to surrender all licenses held by the driver. The court is to forward a copy of the order with the license to Nevada DMV within 5 days.

ALL DEFENDANTS MUST INITIAL EITHER #1 OR #2 BELOW--DO NOT INITIAL BOTH

_____ I am represented by an attorney in this case. My attorney has fully discussed these matters with me and advised me about my legal rights. My attorney is _____.

_____ I have declined to have an attorney represent me and I have chosen to represent myself. I have made this decisions even though there are dangers and disadvantages in self-representation in a criminal case, including but not limited to, the following:

- (a) Self-representation is often unwise, and a defendant may conduct a defense to his or her own detriment;
- (b) a defendant who represents himself is responsible for knowing and complying with the same procedural rules as lawyers, and cannot expect help from the Judge in complying with those procedural rules;
- (c) a defendant representing himself will not be allowed to complain on appeal about the competency or effectiveness of his or her representation;
- (d) the state is represented by experienced professional attorneys who have the advantage of skill, training and ability;
- (e) a defendant unfamiliar with legal procedures may allow the prosecutor an advantage, may not make effective use of legal rights, and may make tactical decisions that produce unintended consequences; and
- (f) the effectiveness of the defense may well be diminished by a defendant's dual role as attorney and accused.

Defendant's Signature

Date

I HAVE REVIEWED THIS ADMONISHMENT WITH MY CLIENT AND HE/SHE UNDERSTANDS THE RIGHTS HE/SHE IS WAIVING AND THE CONSEQUENCES OF HIS/HER PLEA OF GUILTY/NOLO CONTENDERE TO THIS CHARGE.

DEFENDANT'S ATTORNEY (if applicable)

BAR NUMBER