

**THIS FORM MUST BE COMPLETED IN ENGLISH
(YUAV TSUM TEB TSAB NTAWV NO UA LUS ASKIV)**

State of Minnesota
Xeev Minnesota

District Court
Cheeb Tsam Tsev Hais Plaub

County <i>Cheeb Nroog</i>

Judicial District: <i>Txhooj Hais Plaub</i>
Court File Number: <i>Zauv Cim Rooj Plaub</i>
Case Type: Criminal <i>Hom Plaub Ntug Neeg Ua Txhaum Cai Lij Choj</i>

Plaintiff

Tus Xyuam Phaj

vs.

tawm tsam

**Petition to Enter Plea of Guilty
in Felony Case Pursuant to Rule 15
Tshab Ntawv Thov Lees Txim Txhaum
Rooj Plaub Loj Raws Txoj Cai 15**

Defendant

Tus Neeg Raug Foob

TO: THE ABOVE NAMED COURT

RAU: LUB TSEV HAIS PLAUB MUAJ NPE SAUM TOJ NO

I, _____, defendant in the above entitled action do respectfully and state as follows:

Kuv, _____, tus neeg raug foob teev muaj npe rau saum toj no muab kev hwm los sawv cev thiab tawm lus raws li nram no:

1. My full name is _____. I am _____ years old, my date of birth is _____. The last grade that I went through in school is _____.
Kuv lub npe yog _____. Kuv muaj _____ xyoo(s), kuv hnub yug yog _____. Qib kawm ntawv siab kawg nkaus uas kuv tau tiav yog _____
2. If filed in my case, I have received, read and discussed a copy of the (Indictment)(Complaint).
Yog zwm muaj rau kuv cov ntaub ntawv, kuv yeej tau txais, nyeem thiab sib tham txog daim qauv ntawv luam (Ntawv Liam Txim) (Ntawv Tsis Txaus Siab).
3. I understand the charge made against me in this case.
Kuv to taub qhov kev liam txim rau kuv hauv rooj plaub no.

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4. Specifically, I understand that I have been charged with the crime of _____ committed on or about _____ (month) (day), (year) in _____ County, Minnesota.

Qhov tseeb, kuv to taub tias kuv tau raug liam lub txim txhaum _____ thaum los yog thaj tsam lub _____ (hli) (hnuv), (xyoo) nyob rau Cheeb Nroog _____, Minnesota.

5. I am represented by an attorney whose name is _____ and:
Kuv muaj ib tug kws lij choj sawv cev rau kuv uas lub npe yog _____ thiab:

a. I feel that I have had sufficient time to discuss my case with my attorney.
Kuv xav tias kuv tau muaj sij hawm txaus los tham kuv rooj plaub nrog kuv tus kws lij choj.

b. I am satisfied that my attorney is fully informed as to facts of this case.
Kuv txaus siab tias kuv tus kws lij choj paub zoo txog tej qhov tseeb ntawm rooj plaub no.

c. My attorney has discussed possible defenses to the crime that I might have.
Kuv tus kws lij choj tau tham txog tej kev pab daws txim uas tej zaum kuv muaj.

d. I am satisfied that my attorney has represented my interests and has fully advised me.
Kuv txaus siab tias kuv tus kws lij choj tau sawv cev pab kuv thiab tau nthuav tswv yim qhia kuv txhij txhua.

6. I have / have never been a patient in a mental hospital.
Kuv tau / tsis tau ua ib tug neeg mob kho rau ib lub tuam tsev kho siab ntsws puas los dua.

7. I have / have not talked with or been treated by a psychiatrist or other person for a nervous or mental condition.

Kuv tau / tsis tau tham nrog los yog raug kho los ntawm ib tug kws kho neeg puas siab ntsws los yog lwm tus kho hlwb los yog puas siab puas ntsws.

8. I have / have not been ill recently.
Tsis ntev los no kuv tau / tsis tau muaj mob.

9. I have / have not recently been taking pills or other medicines.
Tsis ntev los no kuv tau / tsis tau noj tshuaj lub los yog lwm yam tshuaj.

10. I do / do not make the claim that I was so drunk or so under the influence of drugs or medicine that I did not know what I was doing at the time of the crime.

Kuv tau / tsis tau hais tias kuv qaug dej qaug cawv heev los yog qaug yeeb tshuaj los yog tshuaj noj heev ua rau kuv tsis paub xyov yog kuv ua dab tsi nyob rau lub sij hawm tau ua txhaum txim.

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11. I do / do not make the claim that I was acting in self-defense or merely protecting myself or others at the time of the crime.

Kuv tau/ tsis tau hais tias twb yog kuv tiv thaiv kuv tus kheej los yog tsuas yog pab tiv thaiv lwm tus neeg xwb nyob rau lub sij hawm tau ua txhaum txim.

12. I do / do not make the claim that the fact that I have been held in jail since my arrest and could not post bail caused me to decide to plead guilty in order to get the thing over with rather than waiting for my turn at trial.

Kuv tau/ tsis tau hais tias qhov kuv raug kaw txij thaum raug ntes los thiab tsis muaj peev xwm xiab nyiaj txhiv tawm ua rau kuv txiav txim lees txhaum kom tas mus zoo dua qhov kuv yuav tau tos hais kuv rooj plaub.

13. I was / was not represented by an attorney when I had a probable cause hearing. I have not had a probable cause hearing

Kuv yeej muaj/ yeej tsis muaj ib tug kws lij choj sawv cev thaum kuv muaj lub rooj sib hais txog chiv keeb. Kuv tsis tau muaj lub rooj sib hais txog chiv keeb.

- a. I know that I could now move that the complaint against me be dismissed for lack of probable cause and I know that if I do not make such a motion and go ahead with entering my plea of guilty, I waive all right to successfully object to the absence of a probable cause hearing.

Kuv paub tias tam sim no kuv muaj cai thov kom lawb txhob foob kuv vim tias tsis muaj chiv keeb txaus foob thiab kuv paub tias yog kuv ho tsis thov li ntawd thiab yeem lees txhaum, kuv yeej xوام txoj cai tsis hais tau txawm tias tsis muaj lub rooj sib hais txog chiv keev.

- b. I also know that I waive all right to successfully object to any errors in the probable cause hearing when I enter my plea of guilty.

Thiab kuv paub tias kuv xوام txhua txoj cai tsis hais txawm tias ho muaj tej yam tsis yog nyob rau rooj sib hais txog chiv keeb thiaj raug foob thaum uas kuv yeem los lees txhaum.

14. My attorney has told me and I understand:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub:

- a. That the prosecutor for the case against me, has:

Tias tseem fwm tus kws lij choj tawm tsam kuv, muaj:

- i. physical evidence obtained as a result of searching for and seizing the evidence; *tej yam khoom ua pov thawj tias tau ua txhaum uas luag tau nrhiav tau thiab tsuab cia;*

- ii. evidence in the form of statements, oral or written that I made to police or others regarding this crime;

tej yam ua pov thawj xws li tej lus, uas kuv tau hais los yog sau cia rau tub ceev xwm los yog lwm tus neeg hais txog qhov kev ua txhaum no;

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iii. evidence discovered as a result of my statements or as a result of the evidence seized in a search;

tej yam ua pov thawj uas luag tshawb tau vim los ntawm kuv tej lus los yog vim los ntawm tej yam ua pov thawj uas luag tshawb tsuab tau;

iv. identification evidence from a line-up or photographic identification;

tej yam ua pov thawj tau los ntawm cov neeg kom sawv ua kab rau xaiv los yog los ntawm duab;

v. evidence the prosecution believes indicates that I committed one or more other crimes.

tej yam ua pov thawj uas tseem fvw tog ntseeg tias yuav qhia tau tias kuv tau ua txhaum ib los yog tshaj ib yam.

b. That I have a right to a pre-trial hearing before a judge to determine whether or not the evidence the prosecution has could be used against me if I went to trial in this case.

Tias kuv muaj txoj cai tau lub rooj sib ntsib ib zaug ua ntej yuav nce rooj sib hais plaub kom muaj tus kws txiav txim xyuas seb tej yam ua pov thawj uas tseem fvw tog muaj ntawd puas siv tau los foob kuv yog tias kuv ho xum nce rooj plaub li hais.

c. That if I requested such a pre-trial hearing I could testify at the hearing if I wanted to, but my testimony could not be used as substantive evidence against me if I went to trial in this case.

Tias yog kuv ho tau thov kom muaj lub rooj sib ntsib ua ntej nce rooj sib hais plaub li hais ces kuv kuj muaj txoj cai muab lus raws kuv siab xav, tiam sis tsis pub siv kuv tej lus teb rov foob kuv yog tias kuv nce hais rooj plaub no.

d. That I do / do not now request such a pre-trial hearing and I specifically do / do not now waive my right to have such a pre-trial hearing.

Tias lub sij hawm no kuv xav/ tsis xav thov kom muaj lub rooj sib ntsib ib zaug ua ntej nce rooj sib hais plaub thiab lub sij hawm no kuv yeem/ tsis yeem xuum txoj cai los thov kom muaj rooj sib ntsib ib zaug ua ntej nce rooj sib hais plaub.

e. That whether or not I have had such a hearing I will not be able to object tomorrow or any other time to the evidence that the prosecutor has.

Tias txawm kuv muaj los yog tsis muaj ib lub rooj sib hais plaub los xij tag kis los yog tom qab ntawd kuv yuav hais tsis tau dab tsi rau tej ua pov thawj uas tseem fvw tog muaj.

15. I have been told by my attorney and I understand:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub:

a. That if I wish to plead not guilty I am entitled to a trial by a jury on the issue of guilt, and all jurors would have to agree I was guilty before the jury could find me guilty.

Tias yog kuv tsis txaus siab lees txhaum kuv muaj txoj cai mus rau ib rooj plaub uas muaj ib pab pej xeem txiav txim txog lub txim txhaum thiab tag nrho cov pej xeem txiav txim yuav tsum pom tias kuv txhaum ua ntej pab pej xeem ntawd yuav muaj cai

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txiav txim tias kuv txhaum.

- b. That if I plead guilty I will not have a trial by either a jury or by a judge without a jury.
Tias yog kuv lees txhaum kuv yuav tsis muaj nce ib rooj plaub uas muaj ib pab pej xeem txiav txim los yog muaj ib tus neeg txiav txim xwb tsis muaj ib pab neeg txiav txim.

- c. That with knowledge of my right to a trial on the issue of guilt, I now waive my right to a trial.

Tias txawm kuv twb paub txog kuv txoj cai nce rooj hais plaub txog lub txim txhaum lawm los lub sij hawm no kuv xav xuum kuv txoj cai nce rooj plaub li hais.

16. I have been told by my attorney and I understand that if I wish to plead not guilty and have a trial by jury or trial by a judge I would be presumed innocent until my guilt is proved beyond a reasonable doubt.

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub tias yog kuv tsis xav lees txhaum thiab nce ib rooj plaub uas siv ib pab pej xeem txiav txim los yog ib tus neeg txiav txim kuv yuav tsum raug ntaus nqi tias tseem dawb paug txog rau thaum luag tau ntsuam xyuas txiav txim tau tseeb hais tias kuv yeej txhaum tiag.

17. I have been told by my attorney and I understand:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub:

- a. That if I wish to plead not guilty and have a trial the prosecutor would be required to have the witnesses testify against me in open court in my presence and that I would have the right, through my attorney, to question these witnesses.

Tias yog kuv tsis txaus siab lees txhaum thiab nce ib rooj plaub tseem fvw tus kws lij choj yuav tsum muaj cov neeg ua pov thawj tuaj muab lus nyob rau chav hais plaub qhib lug uas muaj kuv nyob txuam nrog thiab tias kuv yuav muaj txoj cai, uas yog kuv tus kws lij choj ua tus cev ncauj cev lus, los nug cov neeg ua pov thawj ntawd.

- b. That with knowledge of my right to have the prosecution's witnesses testify in open court in my presence and questioned by my attorney, I now waive this right.

Tias txawm kuv twb paub txog kuv txoj cai kom muaj tseem fvw tog cov neeg ua pov thawj tuaj muab lus thiab rau kuv tus kws lij choj nug nyob rau chav hais plaub qhib lug uas muaj kuv nyob txuam nrog lawm los, tam sim no kuv yeem xuum txoj cai no.

18. I have been told by my attorney and I understand:

Kuv tus kws lij choj tau qhia kuv tiab kuv to taub:

- a. That if I wish to plead not guilty and have a trial I would be entitled to require any witnesses that I think are favorable to me to appear and testify at trial.

Tias yog kuv tsis txaus siab lees txhaum thiab nce ib rooj plaub kuv yuav muaj txoj cai kom tej neeg ua pov thawj leej twg los xij uas kuv xav tias yuav pab tau kuv tuaj tshwm ntsej tshwm muag thiab muab lus nyob rau hauv rooj plaub.

- b. That with knowledge of my right to require favorable witnesses to appear and testify at trial I now waive this right.

Tias txawm kuv twb paub txog kuv txoj cai kom muaj tej neeg ua pov thawj uas yuav

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pab tau kuv tuaj tshwm ntsej tshwm muag thiab muab lus nyob rau hauv rooj plaub lawm los tam sim no kuv yeem xuam txoj cai no.

19. I have been told by my attorney and I understand:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub:

- a. That a person who has prior convictions or a prior conviction can be given a longer prison term because of this.

Tias ib tus neeg uas tau muaj kev txhaum yav tas los los yog ib qho kev txhaum yav tas los muaj cai raug tsub lub txim kom ntev dua qub vim los ntawm qhov no.

- b. That the maximum penalty that the court could impose for this crime (taking into consideration any prior conviction or convictions) is imprisonment for ___years. That if a minimum sentence is required by statute the court may impose a sentence of imprisonment of not less than _____months for this crime.

Tias lub txim siab tshaj plaws uas lub tsev hais plaub muaj cai phua rau qhov kev tau ua txhaum no (uas yog ntsuam xyuas los ntawm ib los yog tej kev txhaum twg yav tas los) yog kaw nkuaj mus ___xyoos. Tias yog txoj cai ho kom yuav tsum muab ib lub txim qis kawg nkaus ces lub tsev hais plaub muaj cai phua ib lub txim kaw nkuaj tsis pub tsawg dua _____ hli rau qhov tau ua txhaum no.

- c. That for felony driving while impaired offenses and most sex offenses, a mandatory period of conditional release will follow any executed prison sentence that is imposed. Violating the terms of this conditional release may increase the time I serve in prison. In this case, the period of conditional release is_____years.

Tias hais txog cov txim tsav tsheb qaug dej caw tshuaj yeeb thiab txim loj yuam cai deev feem ntau, yuav muaj ib lub sij hawm tswj khoo xyuas thaum tso tawm lawm tom qab uas tau nyob puv lub txim uas tau phua tseg. Kev yuam cai tej qib lus tswj khoo xyuas thaum tso tawm lawm no muaj cai tsub lub sij hawm kuv nyob nkuaj kom ntev ntxiv. Yog li no, lub sij hawm tswj khoo xyuas tom qab tso tawm lawm yog _____xyoos.

- d. That a person who participates in a crime by intentionally aiding, advising, counseling and conspiring with another person or persons to commit a crime is just as guilty of that crime as the person or persons who are present and participating in the crime when it is actually committed.

Tias ib tus neeg uas koom nyob rau ib qho kev txhaum uas yog txhob txwm pab, muab tswv yim, ntaus tswv yim thiab tuav tswv yim nrog lwm leej los yog lwm cov neeg ua ib qho kev txhaum yeej txhaum los ntawm qhov ua txhaum ntawd tib yam nkaus li tus neeg los yog cov neeg uas nyob txuam nrog thiab koom ua qhov txhaum thaum nws tau tshwm sim kiag.

- e. That my present probation or parole could be revoked because of the plea of guilty to this crime.

Tias kuv kev raug khoo xyuas tam sim no los yog kuv kev raug xub tso tawm nkuaj muaj cai raug thim vim los ntawm qhov lees txhaum rau qhov tau ua txhaum no.

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- f. That the prosecutor is seeking an aggravated sentence of _____.
Tias tus kws lij choj nrhiav txim tsub yuav nrhiav lub txim nyhav heev xws li
_____.

20. I have been told by my attorney and I understand:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub:

- a. That my attorney discussed this case with one of the prosecuting attorneys and that my attorney and the prosecuting attorney agreed that if I entered a plea of guilty, the prosecutor will do the following: (Give substance of the agreement)

Tias kuv tus kws lij choj tau tham txog roo plaub no nrog ib tug ntawm tseem fwm cov kws lij choj thiab tias kuv tus kws lij choj thiab tseem fwm tus kws lij choj tau sib hais haum tias yog kuv yeem lees txhaum, tseem fwm tus kws lij choj yuav ua li nram no: (Muab lub ntsiab tseeb ntawm kev sib hais haum)

- b. That if the court does not approve this agreement:

Tias yog lub tsev hais plaub tsis pom zoo rau kev sib hais haum no:

- i. I have an absolute right to then withdraw my plea of guilty and have a trial.
Kuv muaj ib txoj cai los thim kuv kev lees txhaum thiab kom muaj ib rooj plaub.
- ii. Any testimony that I have given concerning the guilty plea could not be used against me unless I am charged with the crime of perjury based on this testimony.
Yuav siv tsis tau txhua yam kuv uas kuv tau hais txog txoj kev lees txhaum txim rov los khi kuv, tshwj tsis yog liam tias kuv dag cov lus hais no.

21. That except for the agreement between my attorney and the prosecuting attorney:

Tias dhau ntawm kev sib hais haum ntawm kuv tus kws lij choj thiab tseem fwm tus kws lij choj lawm:

- a. No one - including my attorney, any police officer, prosecutor, judge, or any other person - has made any promises to me, to any member of my family, to any of my friends or other persons, in order to obtain a plea of guilty from me.

Tsis muaj ib leej twg – uas yog muaj kuv tus kws lij choj, ib tus tub ceev xwm twg, kws lij choj ntawm tseem fwm, neeg txiav txim, los yog lwm leej neeg ib leeg twg – tau cog lus rau kuv, rau ib leeg twg ntawm kuv tsev neeg los yog kuv tej phooj ywg los yog lwm tus neeg, kom tau kev lees txhaum los ntawm kuv.

- b. No one - including my attorney, any police officer, prosecutor or judge, or any other person - has threatened me or any member of my family or my friends or other persons, in order to obtain a plea of guilty from me.

Tsis muaj ib leeg twg – uas yog muaj kuv tus kws lij choj, ib tus tub ceev xwm twg, kws lij choj ntawm tseem fwm, neeg txiav txim, los yog lwm leej neeg ib leeg twg - tau hawv kuv los yog ib leeg twg ntawm kuv tsev neeg los yog kuv tej phooj ywg los yog lwm tus neeg, kom tau kev lees txhaum los ntawm kuv.

22. My attorney has told me and I understand that if my plea of guilty is for any reason not accepted by the court, or if I withdraw the plea, with the court's approval, or if the

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plea is withdrawn by court order on appeal or other review:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub tias yog muaj dab tsi los xij ua kom lub tsev hais plaub tsis kam yuav raws kuv kev lees txhaum, los yog kuv ho thim kev lees txhaum, uas tsev hais plaub tau pom zoo, los yog tsev hais plaub ho muab nws thim tawm vim tseem tos kev txiav txim dua los yog kev txheeb xyuas lwm yam:

a. I would then stand trial on the original charge (charges).

Kuv yuav raug foob los ntawm thawj lub (cov) txim txhaum.

b. The prosecution could proceed against me just as if there had been no plea of guilty and no plea agreement.

Tseem fwm tog muaj cai foob kuv ib yam li tsis tau muaj kev lees txhaum los yog tsis tau muaj kev tham sib haum.

23. My attorney has told me and I understand that if my plea of guilty is accepted by the judge I have the right to appeal, but that any appeal or other court action I may take claiming error in the proceedings probably would be useless and a waste of my time and the court's.

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub tias yog lub tsev hais plaub kam yuav raws kuv kev lees txhaum kuv muaj txoj cai thov kom ua ib rooj plaub tshiab los txiav txim, tiam sis tias tej zaum kuv kev thov kev hais kom txhim kho dab tsi los xij vim tau muaj tej ua tsis yog nyob rau tsev hais plaub yuav pab tsis tau dab tsi thiab xiam kuv thiab tsev hais plaub sij hawm.

24. My attorney has told me and I understand that a judge will not accept a plea of guilty for anyone who claims to be innocent.

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub hais tias ib tus neeg txiav txim yuav tsis kam yuav raws kev lees txhaum rau ib leeg twg uas hais tias nws dawb huv.

25. I now make no claim that I am innocent.

Lub sij hawm no kuv tsis tau hais tias kuv dawb huv.

26. I have been told by my attorney and I understand that if I wish to plead not guilty and have a jury trial:

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub tias yog kuv tsis txaus siab lees txhaum thiab nce ib rooj plaub uas muaj ib pab pej xeem txiav txim:

a. That I could testify at trial if I wanted to but I could not be forced to testify.

Tias kuv muaj cai muab lus nyob rau rooj plaub tiam sis tsis pub kom yuam kuv los muab lus.

b. That if I decided not to testify neither the prosecutor nor the judge could comment on my failure to testify.

Tias yog kuv txiav txim tsis muab lus tseem fwm tus kws lij choj los yog tus neeg txiav txim tsis muaj cai hais dab tsi txog qhov kuv tsis muab lus.

c. That with knowledge of my right not to testify and that neither the judge nor the prosecutor could comment on my failure to testify at trial I now waive this right and I will tell the judge about the facts of the crime.

Tias txawm kuv paub txog kuv txoj cai tsis kam muab lus thiab tias tus neeg txiav txim

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los yog tseem fvw tus kws lij choj tsis muaj cai hais dab tsi txog qhov kuv tsis muab lus, lub sij hawm no kuv yeem xuum txoj cai no thiab kuv yuav qhia tej ntsiab tseeb ntawm kev ua txhaum rau tus neeg txiav txim.

27. My attorney has told me and I understand that if I am not a citizen of the United States this plea of guilty may result in deportation, exclusion from admission to the United States of America or denial of citizenship.

Kuv tus kws lij choj tau qhia kuv thiab kuv to taub tias yog kuv tsis yog ib tug neeg pej xeem ntawm Teb Chaws Asmeslivkas (United States) ces tej zaum qhov kev lees txhaum no yuav ua tau kom kuv raug xa tawm teb chaws, txwv tsis pub nkag Teb Chaws Asmeslivkas(United States of America) los yog tsis pub txiav xam xaj.

28. That in view of all above facts and considerations I wish to enter a plea of guilty.

Tias xyuas raws li tej qib lus thiab lwm yam uas muaj txuam nrog saum toj no kuv txaus siab lees txhaum.

Dated: _____

Hnub tim:

Signature

Kos Npe

Name: _____

Npe:

Street Address: _____

Chaw Nyob

City/State/Zip: _____

Zos/Xeev/Zauv Cim Cheeb Tsam: