

BATAVIA TOWN COURT
3833 WEST MAIN ST. ROAD
BATAVIA, NY 14020

Phone: 585-343-1729 Ext 216
Fax: 585-343-8998
Email: court@townofbatavia.com

UNIFORM TRAFFIC TICKET PLEA FORM
(NOT TO BE USED FOR MISDEMEANORS OR FELONIES)

NAME: _____

DOB: _____

ADDRESS: _____

CHARGE(S): _____

<i>COURT USE ONLY</i> DOCKET #: _____ RECEIVED: _____ FIRST APPEARANCE DATE: _____

PLEASE READ THIS STATEMENT BELOW AND INITIAL ON THE LINE BEFORE CONTINUING WITH YOU PLEA.

A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL. IF YOU ARE CONVICTED, NOT ONLY WILL YOU BE LIABLE TO A PENALTY, BUT IN ADDITION, YOUR LICENSE TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND YOUR CERTIFICATE OF REGISTRATION, IF ANY, ARE SUBJECT TO SUSPENSION AND REVOCATION AS PRESCRIBED BY LAW. Please initial line _____

PLEASE COMPLETE ONE SECTION BELOW

SECTION A: PLEA OF GUILTY

I, _____, have been charged with the violation(s) above. I also acknowledge receipt of the warning printed in bold type above and I waive arraignment in open court and the aid of an Attorney. I therefore plead GUILTY to the offense(s) as charged. Additionally, I make the following statement of explanation (option):

Date: _____

Signature: _____

SECTION B: PLEA OF NOT GUILTY

The following notice applies to you if the officer did not issue you a supporting deposition with your ticket – NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGE(S) PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITIONS WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ABOVE.

DO YOU REQUEST A SUPPORTING DEPOSITION? YES NO

I, _____, hereby am pleading not guilty to the charge(s) listed above.

Date: _____

Signature: _____

Conviction may subject you to a mandatory surcharge and/or Driver Responsibility Assessment as prescribed by law.

THIS FORM IS FOR INFORMATIONAL PURPOSES ONLY
STATE OF NEW YORK UNIFIED COURT SYSTEM

TOWN OF BATAVIA
3833 West Main St. Rd. Batavia, NY 14020

To: Individuals charged with Traffic Infractions Pending in the Batavia Town Court

This court has received an accusatory instrument alleging that you have committed an offense. You are presumed innocent until proven guilty and you have the right to retain an attorney to represent you now, or at an stage in these proceedings.

You have various procedural options in the course of bringing this matter to a just disposition. You may choose to proceed in any of the following manners, or any other legally authorized manner. You may want to consult an attorney for guidance or representation before determining which course of action you will pursue. The court may not provide you with a recommendation as to how you should proceed, or as to which of these or any other options you should choose.

YOU MAY:

Plea of Guilty as Charged

By pleading 'Guilty,' you waive your right to a trial at which you People of the State of New York, represented by the prosecution, must prove beyond a reasonable doubt that you committed the offense alleged in the accusatory instrument. A Plea of Guilty will subject you to sentencing, by the judge presiding, to any legally authorized sentence. You may withdraw, with the court's permission, your pleas of guilty at any time prior to sentencing and exercise your right to a trial.

Plea of Not Guilty

By pleading 'Not Guilty' you exercise your right to a public trial at which time the people of the State of New York, represented by the prosecution, must prove beyond a reasonable doubt, that you have committed the offense alleged in the accusatory instrument. At the trial you will have the right to hear, see and challenge the evidence submitted to prove your guilt, including, confronting, by cross-examination, the Police Officer, Peace Officer or other witness or witnesses who testify against you. You have the right to have witnesses testify on our behalf and you may, but you are not required to testify on your own behalf. The court will determine, after hearing all the evidence submitted at the trial, whether or not the People have proven guilt beyond a reasonable doubt, and will render an appropriate verdict.

Communicate with our Town Prosecutor regarding a possible reduction

You may contact the Prosecutor or other official who is responsible for proving the charge or charges against you and negotiate an agreement to plead guilty to a legally authorized alternate offense, including a lesser included offense, or a less severe offense or offenses. Any proposed agreement is subject to approval by the court. Upon a plea of guilty to the agreed upon offense, you will be subject to sentencing, by the judge presiding, to any sentence legally authorized to be imposed for the offense to which you plead guilty.

Our Town Prosecutor responsible to prove the charge or charges against you alleged in the accusatory instrument is Kevin Earl. If you would like to speak with him, please schedule a court date with the clerk.