

IN THE CLEVELAND HEIGHTS MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

City of Cleveland Heights
Plaintiff

vs.

Defendant

Case No.: _____

JUDGE: J.J. Costello

**ENTRY OF NOT GUILTY PLEA WITH WAIVER
OF TIME**

NOT GUILTY PLEA – I have read and signed the statement of rights that is attached to this form and hereby enter a not guilty plea to the charges in the above-referenced case.

WAIVER OF COUNSEL – I hereby waive my right to an attorney and/or the assignment of an attorney if I cannot afford to hire an attorney (check YES if waiving, otherwise, check NO):

YES NO

APPOINTED COUNSEL – I have been charged with an offense where jail may be imposed, and I am unable to pay for an attorney. I am separately filing an affidavit of indigency and requesting an attorney be assigned to represent me (check YES if requesting an attorney, otherwise, check NO):

YES NO

TIME WAIVER – I hereby waive my right to have my case brought to trial within the time period set forth in R.C. 2945.71. (PLEASE NOTE THAT THE LOCAL RULES DO NOT PERMIT A WRITTEN NOT GUILTY PLEA WITHOUT A WAIVER OF TIME. IF YOU WISH TO MAINTIN YOUR SPEEDY TRIAL RIGHTS, YOU MUST APPEAR IN PERSON).

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

CERTIFICATE OF SERVICE

A copy of the foregoing was sent to the Cleveland Heights Prosecutor on _____ (date)
by _____ (method of service).

Signature: _____

STATEMENT AND ACKNOWLEDGEMENT OF RIGHTS

I hereby state that I have been informed by the Court of the following:

1. The nature of the charges against me, and the possible penalty if found guilty or if I enter a plea of guilty or no contest.
2. I have a right to an attorney, even if you intend to plead guilty, and you have the right to a reasonable continuance in the proceedings to secure an attorney. If I have been charged with an offense where jail may be imposed, and I am unable to pay for an attorney, an attorney can be assigned to represent me.
3. I do not need to make a statement and any statement made may be used against me.
4. I have the right to bail if I have been charged with a bailable offense.
5. For serious offenses, and petty offense where jail can be imposed, I have the right to a jury trial. If I have been charged with a petty offense where jail can be imposed, I must make a written jury demand at least ten days before trial or three days after getting notice of the trial date, whichever is later.
6. I may enter a plea of not guilty, guilty, or no contest. The plea of NOT GUILTY is a complete denial of the facts alleged in the complaint. The plea of GUILTY is a complete admission of my guilt. The plea of NO CONTEST is not an admission of my guilt but is an admission of the truth of the facts alleged in the complaint, and such a plea cannot be used against me in any subsequent civil or criminal proceeding.
7. If I enter a plea of not guilty, the case will either be set for a pre-trial or for trial. That trial must occur within the time limits prescribed by R.C. 2945.71 unless I waive that requirement. That trial will be to the Court or to a jury, and at trial, I have (a) the right to confront and cross-examine witnesses; (b) the right to present my own evidence and witnesses, and to subpoena witnesses to appear at trial; (c) the right to remain silent at trial, and the fact that I do not testify cannot be held against me; and (d) the right to require the State to prove the charges against me beyond a reasonable doubt.
8. If I enter a plea of guilty or no contest, I waive all of these rights, and the Court will impose a sentence without unreasonable delay. Prior to sentencing, I have the right to make a statement on my own behalf or present any information in mitigation of punishment.
9. If I am not a citizen of the United States, pleading guilty or no contest to the offense may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
10. If I am convicted of a traffic offense, a record of that conviction will be sent to the Bureau of Motor Vehicles and points may be charged against my license as a result.

I hereby acknowledge that I have watched the rights video. Further, I have read and understand the above information.

DATE

DEFENDANT’S SIGNATURE

E-MAIL

PHONE

By providing your e-mail or cell phone number, you are consenting to the Court providing you e-mail or text notifications of upcoming hearings. Message and data rates may apply. You may opt-out at any time. You are responsible for appearing in court on the scheduled date regardless of whether you have received an email or text notification.