

**STATEMENT OF RIGHTS
DRIVING WHILE UNDER THE INFLUENCE
FAILURE TO MAINTAIN LIABILITY INSURANCE
DRIVING WHILE LICENSE CANCELLED, SUSPENDED OR REVOKED**

The matter that you are in Laramie Municipal Court for is a criminal misdemeanor charge. This first appearance is your arraignment, at which time you will be advised of the charge against you and asked if you understand and/or have any questions about the following rights and procedures.

If you enter a plea of "Not Guilty" to the charge the matter will be set down for a Jury Trial at a later date, unless you specifically waive your right to a jury trial. But this **must** be in writing. Trials are normally set for 10:00 A.M. on Monday, Tuesday and Thursday and 8:30 A.M. on Wednesday. They also, will be set as soon as possible.

If you plead "Guilty" to the charge, you will be given an opportunity to explain the situation to the Judge, before any fine, jail sentence or other punishment is imposed.

Read the following rights thoroughly, if you completely understand them and have no questions, sign this form at the bottom, put the date on it and hand it to the Clerk when you are called.

1. You are presumed to be innocent (not guilty) until the City, at a trial, proves you guilty beyond a reasonable doubt or you enter a plea of guilty.
2. You have a right to a trial before a Judge or before a six (6) person jury. There is no penalty for asking for a trial, the fines and/or jail sentence will not be higher, simply because you ask for a trial, either to the Judge or Jury.
3. You have a right to remain silent at all times. If you are going to plead "Not Guilty" do not say anything now, anything you say now would be better for trial and may be used against you at trial. At trial you may, if you wish, waive your right to silence and testify on your own behalf.
4. You have a right to be represented by an attorney of your own choice, or if you are unable to afford an attorney and meet the financial guidelines set out by the court, an attorney will be appointed to represent you at no cost to you.
5. You have the right at trial to cross-examine (ask questions) anyone and everyone that the City calls to testify against you.
6. You have the right at trial to present evidence and call witnesses on your behalf. The Court clerk will help you in issuing subpoenas at no cost to you.

If, after a Jury trial or Bench trial you are found "Guilty" or you plead "Guilty"

To Driving While under the Influence

A first offense "Driving While Under the Influence", a fine of up to \$750.00 or jail sentence of up to six (6) months may be imposed or both.

If this is a second offense for "Driving While under the Influence", a minimum fine of \$200.00 up to \$750.00 and a mandatory jail sentence of seven (7) days to six (6) months will be imposed.

If this is a third or subsequent offense for "Driving While under the Influence", a minimum fine of \$750.00 and a mandatory jail sentence of thirty (30) days to six (6) months will be imposed.

Driving While under the Influence (continued)

On Driving While under the Influence offense, a surcharge ranging from \$100.00 to \$300.00 for victim compensation will be added on top of any fine; in accordance with state law.

Notice of your plea will be sent to the State Department of Motor Vehicles. 1st offense suspension is up to 90 days: 2nd offenses suspension is up to 1 year and subsequent offenses may result in three (3) years revocation. Also, depending on your blood alcohol content (BAC) and whether you have been previously convicted of Driving While Under the Influence, you may be required to install an ignition interlock system: 1st offense and blood alcohol content of .15 or greater is up to 6 months, 2nd offense at any blood alcohol content is 1 year, 3rd offense is 2 years and 4th offense carries a lifetime ignition interlock system requirement, but the driver is allowed to petition the court to have the device removed after 5 years. Note: the defendant will incur all costs associated with this device. This action will also affect your ability to keep your insurance or the cost of that insurance.

To Failure to Maintain Liability Coverage

A first offense "Failure to Maintain Liability Coverage", a minimum fine of \$250.00 up to \$750.00 will be imposed, a jail sentence of up to six (6) months may be imposed or both.

On a second or subsequent violation of 1307 A or upon conviction under this subsection after a conviction under W.S. 31-4-103, the person may be fined not less than \$500.00 nor more than \$750.00, a jail sentence of up to six (6) months may be imposed or both.

To Driving While License Cancelled, Suspended or Revoked

A first offense "Driving While License Cancelled, Suspended or Revoked ", a fine of up to \$750.00 or jail sentence of up to six (6) months may be imposed or both.

If this is a subsequent offense (not first time) for "Driving While License canceled, suspended or revoked", a minimum fine of \$200.00 up to \$750.00 will be imposed and a mandatory jail sentence of seven (7) days to six (6) months will be imposed.

If you enter a plea of "Guilty", you are waiving (giving up) your rights as stated above, including your right to appeal this matter to a higher court.

I hereby certify that I have read and fully understand the above rights that I have in this Court.

Right to Appeal:

If you disagree with the decision of the Judge or Jury, you have a right to appeal your case on the record to the District Court within 30 days. In the event you plead guilty or are found guilty, you have a right to appeal the sentence imposed by the Court. If you wish to appeal, you or your lawyer must timely file a NOTICE OF APPEAL with the Court as set forth in the Wyoming Rules of Appellate Procedure, and post the required fees and bond. If you have qualified as an indigent, the District Court may waive the fees. If you do not timely file the Notice of Appeal, the appeal is waived and your case is over. You have the right to request that the clerk of court prepare and serve forthwith a notice of appeal in accordance with the Wyoming Rules of Appellate Procedure on your behalf.

Video Appearance:

By signing this form, you agree to appear for arraignment and plea via video conferencing pursuant to W.R.Cr.P.(b)(3).

Signature

Date

Date of Birth