

[] SHASTA COUNTY SUPERIOR COURT
[] SHASTA COUNTY MUNICIPAL COURT
STATE OF CALIFORNIA

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Superior Court of the Superior Court of the State of California for the County of Shasta

PEOPLE OF THE STATE OF CALIFORNIA,
PLAINTIFF,

No. 91F1133
DECLARATION BY DEFENDANT FOR ENTRY OF PLEA AND ORDER OF THE COURT

STEVEN ALLEN BEAY
DEFENDANT,

CHARGES: I am the defendant named herein and I understand that I am charged with the offense of:

459 PC, Burglary 1st Degree.

PLEA AGREEMENT: I acknowledge the following plea bargain and desire to enter my plea pursuant to it.

PLEAD ~~UNCONTESTED~~ NO CONTEST TO 459 PC 1st DEGREE BURGLARY - INITIAL SENTENCE TO BE 4 YEAR LID.

PUNISHMENT: I understand that the maximum punishment and/or consequence that I could receive as a result of my plea are 6 years and/or months in the STATE PRISON/COUNTY JAIL a fine of up to \$10000 plus a penalty assessment of 135% of the fine imposed, up to 5 years on probation/parole, and a Restitution Fine of not less than \$100 nor more than \$10,000 or an order that I pay restitution directly to the victim(s).

COLLATERAL CONSEQUENCES: That in addition to the possible punishment outlined above I acknowledge that a result of my plea I am subject to the following additional consequences:

I understand that if I am not a citizen of the United States, a plea of guilty could result in deportation, exclusion from admission to the United States or denial of naturalization. X

I understand that if I am on probation and/or parole that my plea may result in my probation or parole being revoked and my being sentenced on the original charge or my doing additional custody time. S.D.

I will be required to register as a sex offender pursuant to Penal Code section 290. X

I will be required to register as a drug offender pursuant to Health and Safety code section 11590. X

I understand that this conviction could add 5 years to a future prison term if I am convicted of certain felonies as listed in Penal Code § 667(a) or Health and Safety Code § 11370.2 or . S.D.

CONSTITUTIONAL RIGHTS: I understand that, as to the charges against me, my Constitutional rights include:

The right to be represented by an attorney at all stages of this proceeding and further that if I cannot afford an attorney one will be appointed for me. S.D.

The right to speedy and public trial by a jury, or, in the case of a revocation of probation hearing, the right to a non-jury hearing and I hereby give up that right to enter my plea. S.D.

The right to see, hear, and question all witnesses against me and I hereby give up that right to enter my plea. S.D.

The right to have the Judge order into Court all the evidence and to order my witnesses to attend the trial or hearing without cost to me and I hereby give up that right to enter my plea. S.D.

The right, at the trial or hearing, to testify and to present evidence in my favor and I hereby give up that right to enter my plea. S.D.

The right to remain silent and I hereby give up that right to enter my plea. S.D.

The right to a preliminary hearing in all felony cases and I hereby give up that right to enter my plea. S.D.

WAIVER and PLEA: I am freely and voluntarily entering the plea(s) of guilty as indicated below:

Because I am guilty and for no other reason, or

After discussing with my attorney the defenses available and the possibility of my being convicted on other or more serious charges and risking the possibility of a longer sentence and that at a trial evidence could be presented that could result in a conviction I plead No Contest.

S.D.

I understand that any agreement as to sentence applies only to the original sentence and that a violation of probation may cause the Court to send me to the state prison or the county jail for the maximum term provided by law.

S.D.

HARVEY WAIVER: I understand that even though certain charges are being dismissed that the Court may still consider the dismissed charges in sentencing me on those charges to which I have pled.

ARBUCKLE WAIVER: I understand that a Superior Court Judge will be sentencing me. I understand that if my plea is being taken by a Superior Court Judge that I have the right to be sentenced by that Judge. I consent to be sentenced by another Judge of the Superior Court.

S.D.

ACKNOWLEDGMENT: I have personally initialed each of the above boxes and those on page one and I understand all that I have stated and all consequences. I am satisfied that I have had all the time that I have needed to discuss this plea with my attorney, or if I am entering this plea without an attorney, I freely and voluntarily give up the right to be represented by an attorney, having been completely advised as to the nature and extent of this right.

Except as otherwise stated herein, no one has promised or suggested to me that I will receive a lighter sentence, probation, reward, immunity or anything else to get me to plead as indicated, nor has anyone used any force or violence or threats, menace or duress or undue influence of any kind on me or anyone dear to me to get me to plead guilty as indicated. I further state that I am not now under the influence of alcohol, drugs, narcotics or medication.

DEFENDANT'S SIGNATURE: I declare under penalty of perjury that the above is true and correct and that this document is signed in the State of California.

DATE: 9-17-91 SIGNED: [Signature]

ATTORNEY'S SIGNATURE: I am attorney of record and I have explained each of the above rights to the defendant and I concur in his/her decision to waive them and enter the plea indicated.

DATE: 9-17-91 SIGNED: [Signature]

DISTRICT ATTORNEY'S SIGNATURE: The People of the State of California, Plaintiff in the above-entitled criminal action, by and through its attorney, the Shasta County District Attorney, concur in the defendant's plea of guilt indicated in the above declaration and move the court to dismiss all other charges pending in this action.

DATED: 9-17-91 SIGNED: [Signature]

ORDER

Having ascertained in open Court that (1) the defendant fully understands his constitutional rights, nature of the crime(s) charged in the information/complaint, and the consequences of his plea, (2) defendant waives his Constitutional rights and understandingly and voluntarily pleads Guilty or Contest, and (3) that there is a factual basis for a finding that the defendant is guilty of the charge which he has pled.

IT IS ORDERED that the defendant's plea as set forth herein is accepted and shall be entered in the minutes of the Court.

Dated: 9/17/91 Signed: [Signature]