

NO CONTEST PLEA/AGREED SENTENCE

**COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO  
CRIMINAL DIVISION**

<b>THE STATE OF OHIO</b> Plaintiff	:	CASE No. _____
	:	
-vs-  _____ Defendant	:	<b>JUDGE PATRICK T. DINKELACKER</b>  <b>ENTRY WITHDRAWING PLEA OF NOT GUILTY AND ENTERING PLEA OF NO CONTEST</b>

I, \_\_\_\_\_, the defendant in the above cause, hereby freely and voluntarily withdraw my former plea of not guilty and enter a plea of NO CONTEST to the offense(s) of:

Count Number	Name of Offense/ O.R.C. Section	Degree	Potential Sentence Range (Years/Months)	Mandatory Prison Term	Maximum Fine
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____

I understand and acknowledge that I have agreed with the prosecution on a potential sentence, to wit: \_\_\_\_\_  
 \_\_\_\_\_ (initial)

I understand the nature of the charge(s) to which I plead no contest. I understand the maximum penalty as set out above, and any mandatory prison term during which I am NOT eligible for judicial release. The maximum fine possible is \$\_\_\_\_\_, of which \$\_\_\_\_\_ is mandatory. Restitution, other financial costs and driver's license suspension are possible in my case. If I am currently on felony probation or parole, this plea may result in revocation proceedings and any new sentence could be imposed consecutively.

I know any prison term stated will be the term served without good time credit. I understand that by entering an agreed plea and sentence that I will not be eligible for any early release, such as the transitional control program, intensive prison program, judicial release or boot camp. After prison release, I will be supervised on post-release control for each offense that is: F1 and each sex offense = five years; F2 = three years; F3 where I caused or threatened physical harm to a person = three years. For each F5 or F4 offense, and each F3 which does not involve physical harm or threatened physical harm to a person, I may be supervised on post-release control for up to three years as determined by the parole board. The parole board could return me to prison for up to nine months for each violation of those conditions, for a total of 50% of my stated term. If I commit a new felony while on post-release control, I may be punished both for the violation of post-release control and

the new offense. At sentencing for the new felony, I may then receive a prison term for the violation of post-release control of up to the remaining period of post-release control or one year, whichever is greater. A prison term imposed for the violation shall be served consecutively to any prison term imposed for the new felony.

If I am granted community control at any point in my sentence and if I violate any of the conditions imposed, I may be given a longer period under court control, greater restrictions, or a prison term for the maximum term. Community control may last five years.

I understand the nature of these charges and the possible defense I might have. I am satisfied with my attorney's advice, counsel, and competence. I am not under the influence of drugs or alcohol at this time. I have not been forced or threatened in any way to cause me to sign and offer this plea.

I understand that by pleading no contest I give up my constitutional rights to a jury trial, to confront witnesses against me, to have subpoenaed witnesses in my favor, and to require the state to prove my guilt beyond a reasonable doubt at a trial at which I cannot be compelled to testify against myself. In addition to waiving my constitutional rights described above, I also waive any rights I may have to submit to a jury any fact that is necessary to support a sentence differing in type or duration from that which is authorized by the facts established by my no-contest plea or admitted by me, and I agree to allow the Judge to determine such facts, if any, at the sentencing hearing.

I understand that my plea of no contest is an admission of the truth of the facts alleged in the indictment but not an admission of my guilt to the charge(s) against me. I know the judge may either sentence me today or refer my case for a pre-sentence report. I understand my right to appeal a maximum sentence, my other limited appellate rights, and that any appeal must be filed within 30 days of my sentence.

\*I understand that the trial judge may, in addition to or independent of all other penalties provided by law or by ordinance, suspend or revoke my driver's license or commercial driver's license or permit or nonresident operating privilege for a period of not less than six months or more than five years.

\* Where applicable.

I understand that if I am sentenced to serve time in prison, jail, or a community-based correctional or detention facility, I will be required to submit a DNA specimen which will be collected at the prison, jail, correctional or detention facility. I also understand that if I do not submit the required specimen at the time of my intake processing at the prison, jail, correctional or detention facility, I will be required to submit a DNA specimen prior to my release. I further understand that if my sentence includes any period of probation or community control, or if I am at any time on parole, transitional control or post-release control, I will be required to submit a DNA specimen to the probation department, adult parole authority, or other authority as designated by law. I understand that my failure to submit to the DNA specimen collection procedure will subject me to arrest and punishment for violating this condition of my probation, community control, parole, transitional control or post-release control.

I am \_\_\_\_\_ am not \_\_\_\_\_ (initial) a citizen of the United States of America. I understand that if I am not a citizen of the United States, a conviction of the offense(s) to which I am pleading no contest may have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

I have read this form and I knowingly, voluntarily and intelligently enter this no contest plea.

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Signature of Defendant

I have explained to the defendant prior to his/her signing this plea, the charge(s) in the indictment or information, the penalties therefor and his/her constitutional rights in this case. I represent that, in my opinion, the defendant is competent to enter this plea and now does so knowingly, intelligently and voluntarily.

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Attorney for Defendant

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Assistant Prosecuting Attorney

Dismiss Counts (if applicable): \_\_\_\_\_

(Revised 4/14/06)