

No. _____

STATE OF TEXAS) IN THE COUNTY COURT
)
VS.) AT LAW NUMBER ____
)
_____) OF COMAL COUNTY, TEXAS

**WAIVER OF PERSONAL APPEARANCE TO ENTER PLEA
AND WAIVER OF APPEARANCE FOR SENTENCING**

NOW COMES, _____, the Defendant in the
above styled and numbered cause and states the following:

1. I am the person charged with the offense of _____, in the above styled and numbered cause;
2. I am represented by my attorney, _____, in this case and have consulted with my attorney concerning this charge to my satisfaction;
3. I understand that I have the right under the Texas and U.S. Constitutions and Texas statutory law to appear personally before this Court in all proceedings in this cause;
4. My attorney has conducted a full investigation including discovery of the prosecution's evidence against me and provided this evidence to me;
5. I have been informed of a plea bargain offer made by the State in this case and discussed it as needed with my attorney and my attorney has answered any questions I had about my case;
6. I understand the terms of the plea agreement to be contained in the document entitled Admonishments, Voluntary Statements, Waivers,

Stipulations, Judicial Confession and Plea Agreement. I have read that document fully and understand its contents.

7. I understand that I do not have to accept this or any plea bargain and have the full right to confront the witnesses against me and have the State prove my guilt beyond a reasonable doubt at a trial before the Court;
8. After consulting fully with my attorney, I waive my right to a jury trial and wish to enter a plea of no contest to this cause and respectfully request the Court impose the punishment recommended by the State as contained in the above-referenced document;
9. By entering this plea, I fully understand that I am stipulating that the State could present evidence that would substantiate my guilt to the charge alleged in this cause and that the Court will make a finding that the evidence does show my guilt beyond a reasonable doubt;
10. I also specifically waive my right to personally appear to enter this plea and respectfully request the Court to accept this written waiver as the entry of my plea as described above;
11. After consulting with my attorney, I also specifically waive any right to assert the waiver of personal appearance at the plea hearing or sentencing in any appeal or post conviction proceeding including a writ of habeas corpus;
12. I have executed a sworn verification of this waiver and attached it to this document.

Signed this ____ day of _____, 20__.

Defendant

STATEMENT BY DEFENDANT'S ATTORNEY

I have fully explained to the Defendant the right to personally appear before this Court for plea and sentencing and the consequences of entering a plea of guilty or nolo contendere and join in this waiver of personal appearance.

Signed this _____ day of _____, 20____.

Attorney for Defendant

STATE OF TEXAS)
COUNTY OF COMAL)

**AFFIDAVIT VERIFYING WAIVER OF
PERSONAL APPEARANCE
MADE IN LIEU OF NOTARY PURSUANT
SEC. 132.001, TEX. CIV. PRAC, REMEDIES CODE**

I, _____, with identifying number _____
(from TDCJ-ID or County Jail), being presently incarcerated in _____, in
_____ County, Texas declare under the penalty of perjury that I have read
the attached "Waiver of Personal Appearance to Enter Plea and Waiver of Appearance
for Sentencing" and find the facts stated in that document are true and correct.

EXECUTED on the _____ day of _____, 20____.

_____, Affiant