

1 Case No.: _____

2 DA No.: _____

3 SO No: _____

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6 **IN THE EAST FORK JUSTICE COURT**
7 **COUNTY OF DOUGLAS, STATE OF NEVADA**

8 STATE OF NEVADA,

9 Plaintiff,

10 vs.

11 Defendant,

MISDEMEANOR

—
**ADMONISHMENT OF RIGHTS
(DRIVING UNDER THE INFLUENCE)**

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13 **YOU, AS A DEFENDANT, ARE INFORMED OF THE FOLLOWING RIGHTS**
14 **AND PRIVILEGES GRANTED TO YOU UNDER THE CONSTITUTIONS OF THE**
15 **UNITED STATES AND THE STATE OF NEVADA:**

- 16 1. You have the right to be represented by an attorney now and at every stage of
17 these proceedings.
- 18 2. If you cannot afford an attorney, and you are facing potential jail or suspended jail
19 time, then an attorney will be appointed for you. *If you will be requesting an*
20 *attorney, you must complete the separate "Financial Declaration" form.*
- 21 3. You have the right to remain silent. Anything you say may be used against you.
22 At trial, you do not have to testify on your own behalf unless you wish to do so.
- 23 4. You have the right to a speedy trial, which means you have the right to trial within
24 60 days. You may waive the right to a speedy trial, which means that trial may
be scheduled more than 60 days from now.

25 **I waive my right to a speedy trial within 60 days:** _____
26 (Initials) (Date)

- 27 5. At trial, the State must prove its case beyond a reasonable doubt.

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- 6. You have the right to confront and cross-examine witnesses who testify against you. You have the right to present your own witnesses, and to compel their attendance through a subpoena.
- 7. You have the right to a reasonable delay before entering a plea to the charge(s) in this case.
- 8. If you are not a U.S. Citizen, any criminal conviction may result in serious negative immigration consequences including but not limited to: removal from the U.S. through deportation; inability to reenter the U.S.; inability to gain U.S. citizenship or legal residency; inability to renew and/or retain any legal residency status; and/or, indeterminate term of confinement with the U.S. Federal government (i.e. I.C.E.) based upon my conviction and immigration status
- 9. If you plead guilty now, you have the right to be sentenced at a later date.
- 10. If you are convicted of driving under the influence, the consequences include:
 - 1st Offense** in 7 Years: A minimum of 2 days in jail, but not more than 6 months in jail, or at least 48 hours, but not more than 96 hours, of community service in a distinctive garb; a fine of not less than \$400 but not more than \$1,000, plus additional administrative assessments; successful completion of an approved educational course on the abuse of alcohol and controlled substances; attendance at a victim’s impact panel; a mandatory alcohol abuse evaluation if the Blood or Breath Alcohol Content is 0.16% or more or if I am under 21 years of age; and, a revocation of your driver’s license by the Department of Motor Vehicles (“DMV”) for 185 days unless you have a breath interlock device installed in my vehicle pursuant to NRS 483.490 and NRS 484C.460.
 - 2nd Offense** in 7 years: A minimum of 20 days in jail, but not more than 6 months in jail; a fine of not less than \$750 and not more than \$1,000, plus additional administrative assessments; or an equivalent number of hours of community service; attendance of a victim’s impact panel; a mandatory alcohol abuse evaluation; and, revocation of your driver’s license by DMV for a minimum of 1 year unless you have an interlock device installed in my vehicle pursuant to NRS 483.490 and NRS 484C.460.

Case No.: 0000

3rd Offense in 7 years which is a *felony*: At least 1 year, but not more than 6 years, in the Nevada State Prison; a fine of not less than \$2,000, but not more than \$5,000, plus administrative assessments; and revocation of your driver's license by the DMV for not less than 3 years.

Additional DUI Convictions: Once convicted of felony DUI, any subsequent DUI is a Category B Felony punishable by 2 to 15 years in prison if convicted.

I have read my rights, or heard them explained by the judge, and fully understand them.

Signature _____

Date _____

Printed Name _____