

CAUSE NUMBER \_\_\_\_\_

THE STATE OF TEXAS VS. \_\_\_\_\_ DATE: \_\_\_\_\_

# REVOCAION WAIVER WITH/WITHOUT AN ATTORNEY

OFFENSE: \_\_\_\_\_ DATE OF CONVICTION \_\_\_\_\_

ORIGINAL SENTENCE \_\_\_\_\_ D | M | Y JAIL \_\_\_\_\_ D | M | Y PROBATION

[\$ \_\_\_\_\_ FINE/\$ \_\_\_\_\_ PROBATED] [\$ \_\_\_\_\_ COURT COSTS] [\$ \_\_\_\_\_ RESTITUTION]

## TO THE JUDGE OF SAID COURT:

I, the undersigned Defendant in this cause, in which application to Proceed to Final Adjudication/Revoke the Probation granted me in this case has been made by the Criminal District Attorney of Smith County, Texas and the Community Supervision Officer of said Court in open Court, show to the Court the following:

1. I have RETAINED attorney \_\_\_\_\_/The Court has APPOINTED attorney \_\_\_\_\_ to represent me in the hearing of said application **OR** I have not retained an attorney to represent me in the hearing of said application.
2. I further tell the Court that I desire an immediate hearing of such application before the Judge of the Court, and for the Judge to decide all matters of fact of law.
3. I here and now enter my plea of **TRUE** to the following paragraphs listed in the application \_\_\_\_\_.
4. I here and now enter my plea of **NOT TRUE** to the following paragraphs listed in the application \_\_\_\_\_.
5. The State moves to abandon the following paragraphs listed in the application \_\_\_\_\_.
6. I have been told by the Judge of the Court, and I know that I am entitled to a reasonable waiting period before such Application to Proceed to Final Adjudication/Revoke my probation is heard and acted on by the Court. I do not desire the benefit of any waiting or delay period and do not want it.
7. I have been told by the Judge of the Court, and I know that I have the right to have any witnesses either for or against me to appear, be confronted and cross-examined. I do not desire the benefit of this right. I understand the Attorney for the State will present as fact the paragraphs to which I have pled **TRUE**. Also, the Judge may consider the facts stated the same as if testified to by the witnesses in my presence and hearing in open Court. I the undersigned Defendant, ask the Court to proceed immediately after this paper is signed to hear and try the Application to Proceed to Final Adjudication/Revoke my probation in this case, to accept my statement in this paper that I am guilty of the above mentioned violations of conditions of my probation which are stated as grounds for proceeding to final adjudication/revoking my probation in the application filed and to receive evidence concerning the facts of this case in the way I have agreed to above and to act on it immediately. I waive for said purposes every provision of this waiver, as the Judge has informed me of the possible consequences of a revocation of my probation and the range of punishment the Court can assess if it revoked.

\_\_\_\_\_  
**DEFENDANT**

\_\_\_\_\_  
**ATTORNEY FOR DEFENDANT**

The foregoing waiver and application filed and represented to the Court on this day \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ are considered APPROVED AND GRANTED on the same date.

\_\_\_\_\_  
**THOMAS A. DUNN, JUDGE**  
County Court at Law  
Smith County, Texas

**RECOMMENDATION:** \_\_\_\_\_ **D | M | Y CONFINEMENT IN THE COUNTY JAIL**

**\$ \_\_\_\_\_ FINE \$ \_\_\_\_\_ RESTITUTION \$ \_\_\_\_\_ COURT COST**