

CAUSE NUMBERED: _____

THE STATE OF TEXAS

VS.

X IN THE COUNTY COURT
X
X AT LAW NUMBER TWO
X
X SMITH COUNTY, TEXAS

WAIVER OF MOTION FOR NEW TRIAL AND MOTION IN ARREST OF JUDGMENT AND WAIVER OF RIGHT OF APPEAL

Comes now the Defendant in person and, if represented by an attorney, with said attorney and would show the Court the following:

1. That judgment of conviction has been rendered or deferred against him/her and that sentence has been imposed or has been suspended in this cause.
2. That the Defendant understands that she/he has thirty (30) days after the date the sentence was imposed or suspended in open court in which to file for a motion for new trial or motion in arrest of judgment;
3. That the Defendant does not intend to file a motion for new trial or motion for arrest of judgment in this case, and expressly waives the thirty (30) day period for filing the same;
4. That the Defendant understands that she/he has a right to appeal his/her conviction only in accordance with the Code of Criminal Procedure of Texas Rules of Appellate Procedure and that he/she has the right to be represented by counsel on appeal by an attorney of his/her own choice and that if he/she is too poor to pay for such attorney or for the record one can be provided without expense to him/her; and
5. That he/she does not wish to appeal his/her conviction and expressly waives his/her right to appeal.

Signature of Attorney for the Defendant

Defendant's Signature

ORDER

On this day came for consideration the Defendant's motion to waive the time for filing a motion for new trial and motion in arrest of judgment and to waive his/her right to appeal, and having considered same, the motions are hereby **GRANTED** and said waivers are accepted.

Signed on _____

RANDALL LEE ROGERS, JUDGE
COUNTY COURT AT LAW #2
SMITH COUNTY, TEXAS