

**CAUSE NUMBERED:**

**THE STATE OF TEXAS**

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§

**IN THE COUNTY COURT**

**VS.**

**AT LAW #2 OF**

**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 understand 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 \_\_\_\_\_.

\_\_\_\_\_  
**TAYLOR B. HEATON, JUDGE  
COUNTY COURT AT LAW #2  
SMITH COUNTY, TEXAS**