

FILED
IN THE DISTRICT COURT IN ~~RECORDED~~ HARPER COUNTY
STATE OF ~~OKLAHOMA~~
HARPER COUNTY, OKLAHOMA

THE STATE OF OKLAHOMA,

FEB 22 2016

Plaintiff,

RAE-JEAN D. BURKE
COURT CLERK

vs.

PATRICK B. Roth,

Defendant.

TO DEFENDANTS: PLEASE READ AND SIGN THIS FORM ADDRESSING YOUR CONSTITUTIONAL RIGHTS. IF YOU HAVE ANY QUESTIONS CONCERNING THESE RIGHTS MAKE INQUIRY OF THE COURT CONCERNING THE SAME WHEN ADDRESSED BY THE PRESIDING JUDGE.

IF YOUR QUESTION(S) INVOLVE MATTERS OF EVIDENCE, TESTIMONY, LEGAL ISSUES OR YOU REQUEST LEGAL ADVICE, THE JUDGE CANNOT DISCUSS THOSE THINGS WITH YOU. YOU WILL NEED TO DISCUSS THOSE THINGS AND QUESTIONS ONLY WITH YOUR ATTORNEY. THE JUDGE WILL MAKE INQUIRY OF YOU CONCERNING YOUR UNDERSTANDING OF THESE CONSTITUTIONAL RIGHTS.

A. You have the right to a speedy and public trial by a fair and impartial jury of your peers. A verdict of either not guilty or guilty to a charge against you must be unanimous by that jury. If you are charged in a felony case the jury will be composed of twelve (12) members. If you are charged in a misdemeanor case the jury will be composed of six (6) members.

B. You are presumed innocent of any charge against you and the presumption of innocence remains unless, 1) The State of Oklahoma proves the allegations against you beyond a reasonable doubt; 2) You enter some form of a guilty plea and the Court accepts your guilty plea.

C. You have the right to remain silent before and during trial. You should discuss this case only with your attorney or with whom your attorney would allow you to discuss this case and no one else. Any statement you make other than to your attorney can be used as evidence at trial. You cannot be made to testify at trial. If you choose to testify at trial, you waive your right to remain silent. Additionally, your testimony would be subject to cross examination, the same as any other witness who would testify.

D. You have a right to be represented by an attorney during this initial appearance and at all hearings and proceedings hereafter while this case is pending before the Court. You have a right to a reasonable time to telephone family to obtain the presence of an attorney before court proceedings continue. You have a right to have your attorney present at any time during questioning by the State of Oklahoma. If it is determined by the Court you are indigent and you cannot afford to hire an attorney to represent you in this case, an attorney can be court appointed to represent you at no expense to your self. If you hire an attorney, he or she is the attorney of your choice. If an attorney is court appointed to represent you, you have no right to choose the attorney who will represent you in this criminal case.

E. You have a right to act as your own attorney as long as you make that decision freely, affirmatively, voluntarily and competently waive your right to be represented by an attorney. Additionally, the Court must determine you are able to act as your own attorney in the event you waive your right to an attorney.