

CONDITIONAL PLEA FORM

[For use with Rule 24.3(b), Arkansas Rules of Criminal Procedure]

IN THE CIRCUIT COURT OF _____, ARKANSAS
_____ Division
No. _____

STATE OF ARKANSAS

v.
_____, Defendant

CONDITIONAL PLEA

I, _____ (*name of defendant*), with the approval of the court, and the consent of the Prosecuting Attorney am entering a plea of [guilty] [no contest] to Count 1. _____
Count 2. _____
Count 3. _____

I understand my plea is conditioned upon the filing of an appeal on the issue of _____ (*describe [motion to suppress seized evidence] [motion to suppress custodial statement] [motion to dismiss a charge because not brought to trial within the time provided in Rule 28.1 (b) or (c)] or [challenge to the constitutionality of Ark. Code Ann. § _____] upon which appeal will be based.*)

I understand that, if the judge approves my plea of [guilty] [no contest], a judgment and sentence will be entered, and that I may appeal on the issue specified above in the manner provided by the rules of court.

I understand that if I win my appeal on the issue specified above, that I may withdraw my plea of [guilty] [no contest].

I have read and understand the above. I have discussed the case and my constitutional rights with my lawyer. I understand that by pleading [guilty] [no contest], if my plea is not later withdrawn, I will be giving up my right to a trial by jury, to confront, cross-examine, and compel the attendance of witnesses, and my privilege against self-incrimination. I agree to enter my plea as indicated above on the terms and conditions set forth herein.

Date

Defendant

DEFENSE COUNSEL REVIEW

I have reviewed this conditional plea with my client, and I have discussed with my client its consequences.

Defense Counsel

Date

PROSECUTOR APPROVAL

I have reviewed this conditional plea and consent to it.

Prosecutor Attorney

Date

COURT APPROVAL

This Conditional Plea Agreement is approved, and I direct that it be entered of record in this case.

Circuit Judge

Date

This Conditional Plea Form shall accompany the Sentencing Order and be made a part of the record in the case.

I certify this is a true and correct record of this Court.

Date: _____

Circuit Clerk/Deputy: _____