

**PLEA OF GUILTY TO A FELONY**  
**(PLEA AGREEMENT pursuant to Va. Sup. Ct. 3A:8(c)(1)(c))**

Case No. \_\_\_\_\_

1. My name is \_\_\_\_\_.  
I am \_\_\_\_\_ years old. I have completed \_\_\_\_\_ years of schooling.
2. I am represented by Counsel whose name is \_\_\_\_\_  
and I am satisfied with his/her service as my lawyer in this matter.
3. I have received a copy of the indictment, warrant, or information before being called upon to plead and have read and discussed it with my lawyer. I fully understand the charge against me. I am the person named in the indictment. I have discussed the charge and its elements with my lawyer. I have told my lawyer all the facts and circumstances, as known to me, concerning the case against me and we have discussed my criminal record, if any. I understand what the Commonwealth must prove before I may be found guilty. I have had enough time to discuss with my lawyer any possible defenses that I may have to this charge.
4. My lawyer has advised me that the punishment which the law provides is as follows: A maximum of \_\_\_\_\_ years imprisonment (and a minimum of \_\_\_\_\_ year(s) imprisonment), and a fine of up to \$\_\_\_\_\_, or in the discretion of the jury or the Judge sitting without a jury, up to 12 months in jail and a fine of \$2500; that a minimum mandatory sentence of \_\_\_\_\_ must be imposed; also that probation may or may not be granted; and that if I plead guilty to more than one offense, the Court may order the sentences to be served consecutively, that is, one after another. I understand that if the Court sentences me to a term of incarceration, it may impose an additional term of post release incarceration of not less than six months nor more than three years, all of which shall be suspended, conditioned upon successful completion of a period of post release supervision.
5. I understand that I may, if I so choose, plead "NOT GUILTY" to any charge against me, and if I do plead "NOT GUILTY" the Constitution guarantees me (a) the right to a speedy and public trial by jury; (b) the process of the Court to compel the production of evidence and the attendance of witnesses on my behalf; (c) the right to have the assistance of a lawyer at all stages of the proceedings; (d) the right against self-incrimination; (e) the right to confront and cross examine all witnesses against me; and (f) the right to appeal if convicted.
6. I have discussed with my lawyer whether I should plead guilty or not guilty. After that discussion, I have decided for myself that I should plead guilty. I am entering this plea of guilty freely and voluntarily. I am entering a plea of guilty because I am in fact guilty of the crime charged. I understand that by pleading guilty that I am admitting that I committed the offense as charged. I further understand and agree that upon my plea of guilty, if the Court accepts the agreement, I will be found guilty and sentenced in accordance with the agreement.

7. The following is the full and complete agreement between me, my lawyer, and the Commonwealth's Attorney:

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8. I understand that the Court may accept or reject the agreement, and may defer its decision as to the acceptance or rejection until there has been an opportunity to consider a presentence report and other evidence. I understand that if the Court rejects this agreement, I will be permitted to withdraw my plea of guilty pursuant to Supreme Court Rule 3A:8 (c) 4, if I so desire and all further proceedings will be heard by another Judge of this Court. Further, I understand that if I do not withdraw my plea of guilty after it is rejected by the Court, neither side will be bound by this agreement and the Court may impose any sentence within the limits set forth above, and such disposition may be less favorable to me than contained in the agreement.
9. I declare that no officer or employee of any government or Commonwealth's Attorney's Office, or anyone else, has made any promises to me that I would receive a lighter sentence or probation if I would plead guilty.
10. I understand that by pleading guilty I am giving up or waiving the following rights: (a) the right to a speedy and public trial by jury; (b) the process of the Court to compel the production of any evidence and the attendance of witnesses on my behalf; (c) the right against self-incrimination; (d) the right to confront and cross examine all witnesses against me; and (e) any grounds I may have to appeal my conviction and resulting sentence.
11. I understand that if I am not a citizen of the United States and that if I plead guilty or I am found to be guilty, there may be consequences of deportation, exclusion from admission into the United States, or denial of naturalization pursuant to the laws of the United States.
12. My lawyer and I have discussed the Virginia Sentencing Guidelines (Guidelines). I agree that the calculation or result arrived at by my lawyer is based on his/her best efforts and available information. I understand that if the Guidelines calculation that the Court accepts differs from the calculation that my lawyer and I arrived at, I will not have the right or opportunity to withdraw my plea of guilty. I understand that the Guidelines are not binding, that the Court is not required to follow the Guidelines and that the Court may impose a sentence that exceeds or is higher than the Guidelines up to the limits set out in paragraph 4 above.

13. After having discussed the matter with my lawyer, I do freely and voluntarily plead guilty to the offense of \_\_\_\_\_, Criminal No. \_\_\_\_\_, and waive my right to a trial by jury and request the Court to hear all matters of law and fact.

Signed by me in the presence of my attorney this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Defendant

**CERTIFICATE OF DEFENDANT'S COUNSEL**

The undersigned attorney for the above-named Defendant, after having made a thorough investigation of the facts relating to this case, do certify that I have explained to the Defendant the charges in this case and that the Defendant's plea of guilty is voluntarily and understandingly made.

\_\_\_\_\_  
Attorney for Defendant

**CERTIFICATE OF COMMONWEALTH'S ATTORNEY**

The above accords with my understanding of the facts in this case.

\_\_\_\_\_  
Attorney for the Commonwealth

The Court being of the opinion that the plea of guilty and waiver of jury are voluntarily made, understanding the nature of the charges and the consequences of said plea of guilty and waiver, doth accept same and concur.

Filed and made a part of the record this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
JUDGE