

IN THE JUSTICE COURT OF RANKIN COUNTY, MISSISSIPPI

Charge _____ Book _____ Page _____

Defendant _____ Attorney _____

ORDER OF NON-ADJUDICATION

This cause came on for consideration of the defendant's entry of a plea of guilty to the above-referenced charge and the Court being satisfied that it has jurisdiction of the parties and the subject matter hereby FINDS, ORDERS and ADJUDGES:

- 1. If the defendant is not represented by an attorney, he/she is aware of his/her right to an attorney at every stage of the proceedings and to have an attorney appointed to represent him/her if he/she is indigent.
- 2. The defendant was advised of his/her constitutional rights (a) to trial by jury; (b) to confront and cross-examine adverse witnesses; (c) to compel witnesses to appear to testify; and (d) against self-incrimination.
- 3. The defendant is competent to understand the nature of the charge against him/her and understands (a) the nature and consequences of the plea; (b) the minimum and maximum fine; (c) the minimum and maximum jail penalties; (d) any other minimum and maximum penalties; and (e) that by pleading guilty he/she waives his/her constitutional rights.
- 4. The guilty plea is voluntarily and intelligently made and there is a factual basis for the plea of guilty.
- 5. The defendant (a) has never previously qualified under the provisions of *Miss. Code Ann.* § 99-15-26; (b) has never been convicted of a felony; and (c) is not currently charged in this case with an offense under the Mississippi Implied Consent Law.

6. Pursuant to *Miss. Code Ann.* § 99-15-26, the acceptance of the guilty plea and the sentence thereon shall be withheld pending successful completion of the following conditions:

- No further conditions are required and the case may be immediately expunged;
- Payment of a fine of \$_____ plus court costs and assessments;
- Successful completion of
 - _____ hours of public service work at _____ with such public service work to be completed on or before _____;
 - drug and alcohol assessment at _____ and any treatment recommended as a result of such assessment with such assessment to be completed on or before _____;
 - psychological / psychiatric assessment at _____ and any treatment recommended as a result of such assessment with such assessment to be completed on or before _____;
 - psychological / psychiatric treatment consisting of anger management counseling at _____;
 - no violation of a municipal or county ordinance or of a state or federal law for two (2) years.
- Reasonable restitution of \$_____ paid on or before _____ to _____ (the victim of the crime).

7. The bail bond, if any, shall be released. Upon successful completion of the above conditions, the cause shall be dismissed and the case be closed. Failure to comply with any of the above-referenced conditions may result in the acceptance of the guilty plea and sentencing thereon.

SO ORDERED, this the _____ day of _____, 20_____.

Justice Court Judge

Approved:

County Prosecutor / Assistant County Prosecutor

Defendant / Counsel for Defendant