

IN THE MUNICIPAL COURT OF GRIFFIN  
STATE OF GEORGIA

NOT GUILTY

CITY OF GRIFFIN  
VS.

CASE NUMBER:

ADDRESS:  
City, State, Zip

WAIVER OF ARRAIGNMENT AND NOTICE OF RETURN FOR NON-JURY TRIAL

IMPORTANT: You are entitled to appear before a judge and have a formal arraignment on the criminal or ordinance charge(s) pending against you. By signing below you are giving up that appearance before the judge as well as an important hearing date in the case. If you appeared you would have been told by the judge in such hearing the following:

Your rights:

- a. You have the right to remain silent. Anything you say can be used against you in court.
- c. You have the right to talk to a lawyer for advice before anyone asks you any questions and you have the right to have your lawyer with you during questioning.
- d. If you cannot afford a lawyer, one may be appointed for you before questioning if you wish.
- e. If you desire to answer questions now or at any future time without a lawyer present, you will still have the right to stop answering questions at any time until you have talked with a lawyer.
- f. If you are not a citizen of this country, a conviction may affect your immigration status.
- g. You have the right to trial by jury in traffic law and some criminal law violations; however, this right may be waived.
- h. By not having an attorney you may not be aware of the following:
  - i. The nature of the charges;
  - ii. Any statutory lesser included offenses;
  - iii. The range of possible punishments for the charges, including a jail sentence up to 12 months per charge;
  - iv. Possible defenses, including but not limited to: defenses of double jeopardy, justification, alibi, misidentification, and others;
  - v. Mitigating circumstances; and
  - vi. Any other facts necessary for a broad understanding of the matter.

1. The charge(s) against you are misdemeanor charge(s) and each one is punishable by up to 12 months incarceration and/or a \$1,000 fine or any combination of the two unless the charge(s) contained in the accusation/ticket is/are for a misdemeanor of high and aggravated nature, which is punishable by up to 12 months incarceration and/or a \$5,000 fine or any combination of the two. Ordinance/zoning violations are punishable generally up to 6 months incarceration and a \$1,000 fine or any combination of the two.
2. If you had appeared at the formal arraignment for which you were scheduled, the Prosecuting Attorney would have read the accusation to you in its entirety, had you so desired.
3. You may choose to file certain motions. Such motions **must** be filed in writing, with this court, within 5 days of today. Failure to file such motions within the aforesaid 5 day period may result in a waiver of your right to file such motions. A copy of such motions must be filed upon the Prosecuting Attorney.
4. If you waive the assistance of an attorney you must also understand that at trial:
  - i. The rules of evidence will be enforced by the judge;
  - ii. You must make decisions with regard to the calling of witnesses to testify on your behalf;
  - iii. The City has the burden of proving it's case beyond a reasonable doubt;
  - iv. You are not required to testify at trial, but if you do testify, you will be subject to cross examination by the prosecuting attorney; and
  - v. Issues must be properly preserved by way of timely objections and, in order to raise them on appeal, the proceedings must be taken down and transcribed by a court reporter.

**DO YOU WAIVE READING OF THE ACCUSATION/CITATION AND FORMAL ARRAIGNMENT?** YES NO  
**DO YOU WISH TO BE INTERVIEWED FOR A COURT APPOINTED LAWYER?** YES NO  
**DO YOU WAIVE JURY TRIAL AND REQUEST TRIAL BY THE JUDGE?** YES NO

BY SIGNING BELOW YOU ARE AGREEING TO APPEAR FOR A NON-JURY TRIAL ON trial date at trial time

Subpoenas will be issued for prosecution witnesses 2 weeks prior to trial date. If you desire a continuance you MUST notify the Prosecuting Attorney's office at least 5 business days prior to trial date.

Griffin Municipal Court  
100 South Hill Street  
Griffin, GA 30223  
Prosecutor, Tommy Ison

Signature Defendant/Attorney \_\_\_\_\_ Date: Issued date

ATTORNEY NAME: \_\_\_\_\_ BAR NO: \_\_\_\_\_

Day Phone \_\_\_\_\_

Email address: \_\_\_\_\_

COPY OF NOTICE WILL BE FORWARDED TO SURETY IF BOND WAS POSTED

You must keep the court and Prosecuting Attorney's office informed of any change of address. Failure to notify the court of an address change may cause you to miss your scheduled court date. Failing to appear on your court date can result in a suspension of your driver's license and/or a bench warrant for your arrest. Unless informed otherwise in writing, we will rely upon the information provided above.