

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

Court Name: \_\_\_\_\_

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_  
(if known)

**ACKNOWLEDGMENT OF RIGHTS - CLASS B MISDEMEANORS**

I, \_\_\_\_\_ of \_\_\_\_\_

have been charged in the \_\_\_\_\_ with the following offense(s):

\_\_\_\_\_

The statements made below shall apply to each and every complaint, if there be more than one, to which I intend to plead guilty or no contest.

If I am not a citizen of the United States, I understand that conviction of the crime(s) for which I intend to plead GUILTY may have immigration consequences, including but not limited to, deportation from the United States, exclusion from admission into the United States, or denial of naturalization pursuant to the laws of the United States.

I understand that the complaint is one accusing me of a Class B misdemeanor(s) and that I have the right to be represented by a lawyer of my own choosing and at my own expense.

I am represented by \_\_\_\_\_, a lawyer admitted to practice in New Hampshire. I am satisfied with my lawyer and all explanations have been clear.

I do not want a lawyer. I understand and know what I am doing. I hereby waive my right to hire a lawyer of my own choosing at my own expense.

I understand that I do not have to plead GUILTY or NO CONTEST and that even after signing this form I still do not have to plead GUILTY or NO CONTEST.

I understand that by pleading GUILTY or NO CONTEST to the charge(s) that I am giving up the following constitutional rights as to the charge(s):

**MY RIGHT** to a speedy and public trial.

**MY RIGHT** to see, hear and question all witnesses. This gives me the opportunity and right to confront my accusers and cross-examine them myself or through my attorney

**MY RIGHT** to present evidence and call witnesses in my favor and to testify on my own behalf.

**MY RIGHT** to remain silent and not testify at a trial.

**MY RIGHT** to have the Judge *ORDER* into court all evidence and witnesses in my favor.

**MY RIGHT** not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge(s), which have been explained to me.

**MY RIGHT** to keep out evidence, including confessions, illegally obtained.

**MY RIGHT** to appeal issues of law to the Supreme Court.

**I GIVE UP ALL THE ABOVE RIGHTS OF MY OWN FREE WILL.**

I understand that by pleading GUILTY or NO CONTEST I am admitting to or not contesting the truth of the charge(s) against me in the complaint(s) and that on the Judge's acceptance of my GUILTY or NO CONTEST plea, a conviction(s) will be entered against me.

No force has been used upon me, nor have any threats been made to me, by any member of the Prosecutor's office or anyone else to have me enter this plea of GUILTY or NO CONTEST.

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**ACKNOWLEDGMENT AND WAIVER OF RIGHTS CLASS B MISDEMEANOR**

No promises have been made to me by any member of the Prosecutor's Office or anyone else in an effort to have me enter this plea of GUILTY or NO CONTEST to the charge(s), except as follows:

\_\_\_\_\_

However, I understand that the Judge is not bound by the Prosecutor's recommendation as to sentence, and that I may withdraw my plea if the Judge exceeds the limits of a negotiated plea.

I understand that as a consequence of my plea of GUILTY or NO CONTEST the Judge may impose any sentence appropriate in the Judge's sole discretion, subject to a maximum fine of \$1,200 for each offense and penalty assessment and the possible maximum loss of a driver's license/privilege to operate for each offense.

I understand that as few as three motor vehicle convictions, including this one, may result in my being declared a HABITUAL OFFENDER. If that happens, I will lose my license and/or right to operate for 1 to 4 years. I realize that if I am found to be a habitual offender, it is my responsibility at the end of the 1 to 4 year period, to petition the Director, Division of Motor Vehicles, to restore my privilege to drive a motor vehicle. I understand that if I were to operate during the 1 to 4 year period or any time before my privilege to drive a motor vehicle is restored then I would be subject to a mandatory prison term of not more than 5 years.

I understand the nature of the charge(s) against me and the maximum punishment that may be imposed. I am not under the influence of alcohol or drugs.

I understand the entire contents of this Acknowledgment of Rights, and I freely and voluntarily sign this form below. I also understand that I may have a copy of this form upon request.

Highest Educational Grade Completed \_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Defendant

As counsel for the defendant, I have thoroughly explained to the defendant all the above, including the nature of the charge(s), the elements of the offense(s) which the State must prove beyond a reasonable doubt and the maximum and minimum penalties. I believe the defendant fully understands the meaning of this Acknowledgment of Rights, is not under the influence of drugs or alcohol and knowingly and intelligently waives all rights as set forth in this form

\_\_\_\_\_ Date

\_\_\_\_\_ Counsel for the Defendant

I hereby certify that I have examined the defendant concerning the plea entered in this case. Based upon that examination I find that the defendant understands the nature of the charge(s), the minimum and maximum penalties which may be imposed therefore, and the elements of the offense(s); and I find that the defendant is not under the influence of drugs or alcohol and that the waiver of each rule set forth on this form is made intelligently, knowingly and voluntarily. I further find there is a factual basis for the defendant's plea.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Judge

\_\_\_\_\_ Printed Name of Judge