

Case No. _____
Dept. _____

IN THE MUNICIPAL COURT OF THE CITY OF RENO
COUNTY OF WASHOE, STATE OF NEVADA

CITY OF RENO,

Plaintiff,

vs.

STALKING WAIVER OF RIGHTS

Defendant.

_____ I understand that I have been charged with Stalking by without lawful authority willfully or maliciously engaging in a course of conduct towards a victim that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member alleged to have been committed on or about the _____ day of _____, 20____, in Reno, Nevada, in violation of NRS 200.575 and RMC 8.08.040.

_____ I understand that the City must prove the elements of the crime beyond a reasonable doubt.

_____ I understand that a criminal conviction may have negative immigration consequences for me related to deportation, removal, exclusion from admission to the United States and/or denial of citizenship if I am not a United States citizen.

_____ I understand that any prosecuting agency can use this and any other constitutionally valid prior conviction of this type of offense to enhance the penalties for any subsequent offense.

_____ I understand that the penalties imposed for Stalking in this criminal proceeding do not prevent or preclude the victim from seeking any other legal remedies available.

_____ I understand that, if the court finds this crime was committed against a person listed in NRS 33.018, and the victim has an ongoing, reasonable fear of physical harm, I am now forbidden from possessing, controlling or owning any firearm and I must permanently surrender, sell, or transfer all firearms and/or ammunition I possess, control or own. Failure to do so is a Category B felony, punishable by 1 to 6 years in prison and a \$5,000 fine.

_____ I understand the following possible punishments:

FIRST OFFENSE – A misdemeanor punishable by up to six (6) months in jail, and/or a fine of not more than \$1,000.

SECOND OFFENSE– A gross misdemeanor punishable by up to 364 days in jail and/or a fine of not more than \$2,000.

THIRD OR SUBSEQUENT OFFENSE – A Category C felony punishable by a term of imprisonment of not less than 1 year nor more than 5 years with the Nevada Department of Corrections, and a fine of not more than \$5,000.

1 _____ I understand that I have the right to be represented by an attorney, and if I cannot afford an attorney, the
2 Court will appoint one, and I give up this right or I am represented by attorney of record
3 _____ . I have had adequate time to
4 discuss my case with my attorney and I am satisfied with my attorney's services.

5 _____ While I am giving up my right to an attorney, I have been informed as to the dangers and
6 disadvantages of self-representation:

- 7 _____ 1. I understand that self-representation is often unwise and I may conduct a
8 defense to my own detriment.
9 _____ 2. I understand that I will be required to know and comply with the same
10 procedural rules as lawyers and I cannot expect help from the Court.
11 _____ 3. I understand that I will not be allowed to complain on appeal about the
12 competency or effectiveness of my representation.
13 _____ 4. I understand that the City will be represented by an experienced professional
14 attorney who will have the advantage of skill, training, and ability.

15 _____ I understand that I have the right to a speedy and public trial in front of a Judge and I give up this right.
16 _____ I understand that I have the right to confront and question all witnesses and I give up this right.
17 _____ I understand that I have the right to remain silent and not incriminate myself and I give up this right.
18 _____ I understand that sentencing is the responsibility of the Court and that the Judge is not bound by any
19 agreement between the parties or any plea negotiation and has the authority to sentence me up to the
20 maximum possible penalty of not more than 6 months in jail and a fine of not more than \$1,000.
21 _____ I am voluntarily pleading (circle one) guilty/*nolo contendere* ("no contest") to the offense as stated in the
22 first paragraph without any promises of leniency or threats having been made.

23 _____
24 Defendant's Signature

25 _____
26 Initials

27 _____
28 DOB

Date

I certify that I am the attorney of record for the Defendant. I have fully discussed the matters herein with the Defendant and advised him/her thereon. The representations above are the Defendant's own. The plea and waiver is intelligently, voluntarily, and freely made. I join in the plea and waiver. I stipulate that there is a factual basis for the plea.

Attorney's Signature

Date

I have addressed the Defendant personally and canvassed him / her on the above, including the elements of this offense as supported by the facts, the possible penalties, and his / her Constitutional rights. I find that the plea of guilty/*nolo contendere* ("no contest") is freely, knowingly and voluntarily made and with an understanding of the nature of the charge and consequences of the plea, and hereby order that such plea be entered into the minutes of the Court.

Municipal Judge

Date

1 This Court finds this crime was committed against a person listed in NRS 33.018 and the victim has an
2 ongoing, reasonable fear of physical harm. Defendant is hereby prohibited from owning, possessing or having
3 under his or her control or custody any firearm or ammunition and is ordered to permanently surrender, sell or
4 transfer any firearm or ammunition that he or she owns, or that is in his or her possession or under his or her
5 custody or control as set forth in NRS 202.361.

6 _____
Municipal Judge

_____ Date