

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

United States of America

Case Number:

vs.

*Defendant*

**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT  
AND ENTRY OF PLEA OF NOT GUILTY  
WAIVER OF MINIMUM TIME TO TRIAL**

NOW COMES Defendant in the above-referenced case who, along with his/her undersigned attorney, hereby acknowledges the following:

1) Defendant has received a copy of the indictment or information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his/her Constitutional rights, after being advised of all the above by his/her attorney.

2) Defendant understands he/she has the right to appear personally with his/her attorney before a Judge for arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he/she will be so arraigned in open Court.

Defendant, having conferred with his/her attorney in this regard, hereby waives personal appearance with his/her attorney at the arraignment of this case and the reading of the indictment or information, and, by this instrument, tenders his/her plea of "not guilty." The defendant understands that entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

I UNDERSTAND, UNLESS OTHERWISE ORDERED BY THE COURT, I MUST FILE ANY PRETRIAL MOTION (CITING LEGAL AUTHORITY UPON WHICH I RELY AND A PROPOSED ORDER) WITHIN 14 DAYS AFTER ARRAIGNMENT, OR, IF I HAVE WAIVED ARRAIGNMENT, WITHIN 14 DAYS AFTER THE LATEST SCHEDULED ARRAIGNMENT DATE. SEE LOCAL CRIMINAL RULES CR-12 AND CR-47.

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*Date*

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*Defendant*

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*Attorney for Defendant*

**ORDER**

APPROVED by the Court. A plea of "Not Guilty" is entered for defendant effective this date.

IT IS FURTHER ORDERED that all pre-trial motions be filed within 14 days of this date.

\_\_\_\_\_

*Date*

\_\_\_\_\_  
Jeffrey C. Manske  
United States Magistrate Judge

3) Defendant understands that he/she has a right to a minimum period of time prior to trial so that trial shall not commence not less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se. Defendant further understands that, absent the present waiver, he/she will not be brought to trial during this thirty (30) day period.

Defendant, having conferred with his/her attorney in this regard, hereby WAIVES the requirement that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Defendant*

\_\_\_\_\_

*Attorney for Defendant*

**WAIVER OF RIGHT TO TRIAL BY JURY**

The U.S. Magistrate Judge has advised me of my right to a trial by jury.

I HEREBY WAIVE (give up) MY RIGHT TO A TRIAL BY JURY.

\_\_\_\_\_

*Defendant*

Consented to by the Special Assistant U.S. Attorney.

\_\_\_\_\_

*Signature*

**NOTICE OF RIGHT TO CONSENT  
TO DISPOSITION OF A MISDEMEANOR/PETTY OFFENSE CASE**

In accordance with the provisions of 18 USC 3401, you are hereby notified of your option to consent to Magistrate Judge jurisdiction. Upon consent of the defendant, the U.S. Magistrate Judge will conduct all proceedings in a misdemeanor / petty offense case, including a jury or non-jury trial. By consenting to Magistrate Judge jurisdiction, you are waiving (giving up) your right to trial, judgment and sentencing before a United States District Judge.

PLEASE INDICATE ONE OF THE FOLLOWING WITH A CHECK MARK:

\_\_\_\_\_ I WAIVE (GIVE UP) MY RIGHT TO PROCEED BEFORE A DISTRICT JUDGE AND  
CONSENT TO MAGISTRATE JUDGE JURISDICTION.

\_\_\_\_\_ I DO NOT CONSENT TO MAGISTRATE JUDGE JURISDICTION.

NO RESPONSE OR OMISSION OF THIS PAGE WILL BE INTERPRETED AS NOT  
CONSENTING TO MAGISTRATE JUDGE JURISDICTION AND CASE WILL BE ASSIGNED TO A  
U.S. DISTRICT JUDGE.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Defendant*

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