IN THE MEDINA MUNICIPAL COURT MEDINA COUNTY, OHIO	PRETRIAL AGREEMENT/ PRETRIAL CONFERENCE REPORT (Crim. R. 17.1)

Rev. 3.13.20

STATE OF OHIO-CITY OF MEDINA-CITY OF BRUNSWICK, VILLAGE OF SPENCER, Plaintiff,
v.

_____,
Defendant.

CASE NO. _____

CASE NO. _____

JUDGE GARY F. WERNER

PRETRIAL AGREEMENT: The parties hereby submit this Pretrial Agreement to resolve the case(s) identified above. The Prosecutor recommends that the Defendant may plead □ "guilty"/□ "no contest" to the following (state the degree of each offense):

_____

_____

_____

_____.

READ CAREFULLY: The Defendant and his/her counsel hereby accept the foregoing recommendation, subject to all of the following. Defendant knowingly, voluntarily, and intelligently waives all speedy trial rights; an explanation of circumstances underlying the charges pled to; and any reading, or defects in the content, time, and service of the original and any amended complaint. Defendant further and similarly waives the following rights: (**i**) to require the State to prove the charges against him/her beyond a reasonable doubt; (**ii**) to a trial by jury; (**iii**) to cross-examine the State's witnesses against him/her; (**iv**) to compulsory process for obtaining witnesses in his/her favor; and (**v**) to remain silent and not to be compelled to testify against him-/herself. Defendant attests that no force, threats, or promises have been made to induce this plea, other than as reflected herein, and hereby stipulates to the Court's finding of guilt based upon the plea Defendant enters pursuant hereto.

Defendant acknowledges and understands that: (**i**) a plea of "guilty" is a complete admission of his/her guilt; (**ii**) a plea of "no contest" is not an admission of his/her guilt, but is an admission of the truth of the facts alleged in the complaint; (**iii**) the "no contest" plea shall not be used against the defendant in any subsequent civil or criminal proceeding; (**iv**) the Court may after accepting a plea proceed immediately to sentencing; (**v**) except as otherwise stated, dismissal of any charges is at Defendant's costs; and (**vi**) the court is not bound by the State's sentencing recommendations and may impose any sentence that the court deems appropriate.

□ **Marsy's Law.** The prosecutor hereby certifies compliance with its R.C. 2930.09(C) duties, to wit: to notify, consult, and confer with the involved victim(s) regarding this negotiated plea agreement and proceeding, and to report their objections (if any) to the court.

□ **OVI and Physical Control Cases Only.** The undersigned Prosecutor represents that defendant's Ohio LEADS record reflects no Ohio convictions for OVI, or an equivalent offense, except as listed below [*list OVI Prior Convictions by date and court*]. **Defendant represents** that he/she has no other OVI convictions, or for any equivalent offense, ***in Ohio or any other state***, except as here stated:

_____.

PRETRIAL REPORT: Pursuant to Loc. R. 36(C)(1) and Crim. R. 17.1, the parties submit this Pretrial Conference Report following their_____, 20 26 conference. Appearing for the State: _____; appearing for Defendant: _____. Defendant did/did not (circle one) appear. Discovery is/is not (circle one) complete, and:

□ No resolution. Set for trial. (Approximate trial time required: _____)

□ _____

_____.

For Plaintiff: _____

Print Name: _____

Date: _____

ORDER:

SO ORDERED:

_____
Judge/Magistrate--Date

For Defendant: _____

Print Name: _____

Date: _____

By Defendant: _____

Date: _____

FOR PRETRIAL AGREEMENTS (Check one)	
□	Executed and presented to Court for change of plea on record.
□	Convert date/time of trial/next proceeding to change of plea.
□	Clerk shall set case for change of plea proceeding.