

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 acting without lawful authority and willfully or maliciously engaging in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed, and that actually causes the victim to feel terrorized, frightened, intimidated or harassed, and that said crime is alleged to have been committed on 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 above-charged 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 the penalty for this first offense Stalking crime could be a maximum of six (6) months incarceration in jail, and \$1,000 fine (plus fees and assessments), and up to 200 hours of community service, and that, in the discretion of the Court, a suspended sentence is available to me on this conviction, with any conditions to be set by the Court.

_____ I understand that a prosecutor may use this conviction against me if I am charged in the future with another Stalking crime, and I understand that a second or subsequent offense of Stalking is a Gross Misdemeanor crime, pursuant to NRS 200.575(1)(b), which means I could be required to serve a full year of incarceration in jail, if convicted.

_____ I also understand that a Stalking crime which includes a threat intended to cause the victim to suffer a reasonable fear of death or substantial bodily harm is Aggravated Stalking, a Category B felony, which is punishable by a term of imprisonment in the Nevada Department of Corrections for a minimum of two (2) to fifteen (15) years, and a fine of up to \$5,000.

_____ I understand that Stalking with the use of the internet or any network site or electronic mail or text messaging, or other similar means of communication, to publish, display or distribute information in a manner that substantially increases the risk of harm or violence to a victim is a Category C felony, which is punishable by a term of imprisonment in the Nevada Department of Corrections for one (1) to five (5) years, and a fine of up to \$10,000.

_____ I understand that my receiving a penalty for Stalking in this criminal proceeding does not prevent or preclude the victim from seeking any other legal remedies available to said victim.

_____ I understand that as a result of this conviction, I am now forbidden from possessing, controlling or owning any firearm and I must permanently surrender to police, or sell, or transfer any and all firearms I

1 possess, control or own. Failure to do so is a Category B felony, punishable by 1 to 6 years in prison and
2 a \$5,000 fine. NRS 202.360.

3 I understand that the Court may issue a "No Contact Order" directing me to stay away from the victim
4 and the victim's home, school, business or place of employment, and any other location specified by the
5 Court, and to refrain from any and all forms of contact, intimidation, threats or interference with the
6 victim and the victim's family or household members, and that if I violate such Order I may be
7 prosecuted for Criminal Contempt of Court and sentenced pursuant to NRS 22.100.

8 I understand that I have the right to have an attorney represent me, and if I cannot afford an attorney, the
9 Court will appoint one, and I give up this right or I am represented by attorney of record
10 _____ . I have had adequate time to
11 discuss my case with my attorney and I am satisfied with my attorney's services.

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

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

22 _____ I understand that I have the right to a speedy and public trial in front of a Judge and I give up this right.

23 _____ I understand that I have the right to confront and question all witnesses and I give up this right.

24 _____ I understand that I have the right to remain silent and not incriminate myself and I give up this right.

25 _____ I understand that sentencing is the responsibility of the Court and that the Judge is not bound by any
26 agreement between the parties or any plea negotiation.

27 _____ I am voluntarily pleading (circle one) *guilty/nolo contendere* ("no contest") to the offense as stated in the
28 first paragraph without any promises of leniency or threats having been made.

Defendant's Signature

Initials

DOB

Date

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

Attorney's Signature

Date

26 I have addressed the Defendant personally and canvassed him / her on the above, including the elements
27 of this offense as supported by the facts, the possible penalties, and his / her Constitutional rights. I find that the
28 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.

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Municipal Judge

Date