

SALT LAKE CITY JUSTICE COURT
333 SOUTH 200 EAST SALT LAKE CITY, UTAH 84111

SALT LAKE CITY CORPORATION

PLEA IN ABEYANCE

VS

Citation Number: E10340156

Bradley Keith Kendrick
285 E 4800 S
Murray, Utah, 84107
D.O.B: Nov 10, 1980

Judge: Jeanne Robison

Prosecutor: Simarjit Gill

Pursuant to Utah Code 77-2A-2, Utah Code Annotated, 1953, and upon motion of the Prosecutor, the Defendant is pleading guilty to the charges cited on the citation and their plea of guilty shall be held in abeyance under the following conditions for 12 months.

1. Sign and initial form after completing Traffic School.
2. Immediately notify the Court of any changes in Defendant's phone number or address.
3. Pay to the Court a non-refundable plea in abeyance fee of \$25.00.
4. Complete traffic school within a 60 day period and pay a traffic school fee of \$65.00.

If the foregoing provisions are complied with, the Court will dismiss the case at the conclusion of the plea in abeyance period.

BK
Initial here

I hereby swear or affirm that this citation is the first traffic offense in a twelve month period within Salt Lake City Justice Court's jurisdiction and that I do not have more than 3 traffic offenses within a 5 year period in any jurisdiction. I agree that false statements will result in my plea being entered as a conviction and me being sentenced in this matter.

X Bradley Kendrick
Defendant's Signature

Date: 2016-05-31

IT IS HEREBY ORDERED that the Defendant comply with the terms and conditions contained in the Plea in Abeyance Agreement, with the Court reserving the right to impose sentence herein at any time should the Defendant violate the terms and conditions of the Plea in Abeyance Agreement.

Note: All Fees are nonrefundable.

STATEMENT OF DEFENDANT ENTERING A GUILTY PLEA

NOTIFICATION OF CHARGES

I have received and read or had read to me a copy of the information which states the crime(s) with which I am charged. I understand the charges against me. I have no questions about what I am accused of having done.

WAIVER OF CONSTITUTIONAL RIGHTS

Under the constitutions of Utah and of the United States I have the following rights:

BK
Initial here

COUNSEL: I have the right to consult with and be represented by an attorney. If the judge were to determine that I am too poor to be able to hire a lawyer, the judge could appoint one to represent me. I might later, if the judge determined I was able, to be required to pay for the appointed lawyer's service to me.

BK
Initial here

PRIVILEGE AGAINST SELF-INCRIMINATION: Although I can choose to testify if I wish, I cannot be forced by anyone to take the witness stand and testify or give evidence against myself. That I choose not to testify cannot be held against me in court.

BK
Initial here

CONFRONTATION AND CROSS EXAMINATION OF ACCUSERS: I have a right to see and hear in open court the witnesses to give evidence against me. I have it if I represent myself, or an attorney has, in my behalf, the right to ask questions of those witnesses. I also have the right to have witnesses who will testify in my behalf subpoenaed or, in other words, called to court at government expense.

BK
Initial here

JURY TRIAL: I have the right to a speedy public trial before an impartial jury. Therefore, I can choose to have a jury hear the case against me. Any verdict rendered by a jury, whether it be guilty or not guilty, must be complete agreement of all jurors.

BK
Initial here

PRESUMPTION AND PROOF: At trial I am presumed innocent until proven guilty. The burden of proving me guilty of the crime(s) charged is upon the prosecutor who must prove each and every element of a crime beyond a reasonable doubt.

BK
Initial here

APPEAL: If I were to be tried and convicted of the crime(s) with which I am charged, I could appeal from any errors of the law that may have resulted in my conviction. By law, an appeal must be taken within 30 days of entry of judgment.

BK
Initial here

I understand each of these constitutional rights. I have no questions about them. I know that I could plead not guilty and exercise all of the rights listed above. I understand that by entering a plea of guilty. **I AM GIVING UP THESE CONSTITUTIONAL RIGHTS**

CONSEQUENCES OF ENTERING A GUILTY PLEA

I am admitting that I did commit the crime(s) to which I plead guilty. I understand that nature of the offense(s) and the elements of the offense(s) as listed in this document or as described in court. I convict myself the same as if I were found guilty by judge or jury. Where more than one crime is involved, sentences may be imposed one after another (consecutively), or may run at the same time (concurrently). In sentencing me, the judge is not required to follow what any other person recommends. The judge must impose a sentence with the following limits:

OFFENSE	JAIL	FINE	
Class B Misdemeanor	0-180 Days	\$0.00-\$1,000.00	(plus maximum 85% surcharge)
Class C Misdemeanor	0-90 Days	\$0.00-\$750.00	(plus maximum 85% surcharge)
Infraction	None	\$0.00-\$750.00	(plus maximum 35% surcharge)

Certain crimes require added fees or other conditions of sentencing. Most often, a maximum of 85% surcharge must be added. Some penalties crimes may be greater, or enhanced, if there are other convictions for similar crimes. I understand these consequences and have no questions about them.

Plea in Abeyance Warning and Waiver

If the time period for my plea in abeyance has expired and I have not followed the judge's orders, the judge can change my plea in abeyance to a conviction without giving me notice. If my plea in abeyance is changed to a conviction, the judge will not issue a warrant for my arrest. A conviction will be entered and the case will be closed. Not more than five days after my plea in abeyance is changed to a conviction, the judge will send me notice of the change to the last address I gave to the court.

If I don't agree with the judge changing my plea in abeyance to a conviction, I need to file a written appeal at the Justice Court within 30 days of the day it changed to a conviction and then my case will be sent to the District Court.

OR

If I do not file a written appeal within 30 days, I will have one year from the day my plea in abeyance changed to a conviction to ask for a hearing. At the hearing I will have a chance to show that I did follow the judge's orders or that I had a good reason that I did not follow the judge's orders. If the judge changes the conviction back to a plea in abeyance, the judge will tell BCI of the change.

This waiver does not apply if the judge wants to add fines or jail on my case. To add fines or jail, the judge has to give me written notice and give me the chance to have a hearing in court.

ENTRY OF GUILTY PLEA

I understand my constitutional rights and penalties as described above. I am giving up my constitutional rights. Of my own choice, I enter this plea. No force promises, or threats have been made to get me to do it. I am not under the influence of alcohol or drugs or anything that would impair my judgment right now. I have read this document or had it read to me. I understand its contents and adopt each statement in it as my own. By signing this document I am saying that I ENTER A PLEA OF GUILTY TO the above listed violations.

A request to withdraw a plea of guilty shall be made by motion before sentence is announced or within 30 days after pleading guilty shall be made by motion before sentence is announced or within 30 days after pleading guilty, whichever occurs first. A plea of guilty may be withdrawn only upon showing that it was not knowingly and voluntarily made as determined under a totality of the circumstances.

X Bradley Kendrick
Defendant's Signature

2016-05-31
Date

