

CAUSE NO. _____

THE STATE OF TEXAS

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IN THE DISTRICT COURT OF

VS

TOM GREEN COUNTY, TEXAS

_____ JUDICIAL DISTRICT

DEFENDANT'S WRITTEN WAIVER OF JURY

TO THE HONORABLE JUDGE OF SAID COURT:

On this the _____ day of _____, 20_____, Defendant, _____, together with Defendant's appointed/employed Attorney of Record, _____, appear and affirmatively represent and acknowledge to the Court that:

1. This instrument is signed and presented prior to the entry of any plea herein;
2. Defendant has the right, and Defendant understands that he/she has the right, to have a jury try Defendant's case;
3. Defendant understands that, in a jury trial, Defendant:
 - (a) may enter a plea of not guilty or any other plea authorized by law;
 - (b) must be found NOT GUILTY unless and until all jurors selected to try the defendant are satisfied of the defendant's guilt "beyond a reasonable doubt";
 - (c) has the right to require the State's attorney (i.e. the prosecution) to prove the defendant guilty "beyond a reasonable doubt";
 - (d) has the right to remain silent, and that the State's attorney cannot comment on or allude to the defendant's failure to testify;
 - (e) has a right to a speedy and public trial;
 - (f) has the right to see, hear and cross-examine all witnesses testifying against the defendant;
 - (g) has the right to enter any plea before the jury that the defendant could enter before the judge in a non-jury trial [i.e. a plea of guilty, not guilty or nolo contendere (no contest)]; and
 - (h) has the right to have the jury assess the defendant's punishment.

With a full and complete understanding of each and every right described above, we the undersigned Defendant and Defendant's Attorney of Record waive each and every such right, and request that the Court and of the attorney representing the State grant their consent and approval for Defendant to waive his/her right to a trial by jury. We further request that this case be tried before the Court, both as to the issue of guilt/innocence and the issue of punishment (in the event the defendant is found guilty).

Signed this day of _____

Attorney for Defendant

Defendant

Attorney for the State
(Who by executing this instrument consents to the waiver of jury trial)

APPROVED BY THE COURT on: _____

Judge Presiding