

No. \_\_\_\_\_

THE STATE OF TEXAS

vs.

IN THE DISTRICT COURT OF

\_\_\_\_\_ COUNTY, TEXAS

\_\_\_\_\_ JUDICIAL DISTRICT

**DEFENDANT'S WAIVER OF RIGHT TO FILE MOTION  
FOR NEW TRIAL AND OF ALL APPELLATE RIGHTS**

On this day of \_\_\_\_\_, \_\_\_\_\_,  
defendant (herein referred to as defendant) and \_\_\_\_\_,  
defendant's attorney (herein referred to as counsel) in open court appear and affirmatively  
represent and acknowledge to the Court that:

1. This waiver is signed and presented to the Court at a time subsequent to defendant's guilt having been found and subsequent to the pronouncement and entry of the judgment and the order pronouncing (or suspending the imposition of) sentence herein, all in the presence of counsel.
2. Defendant has, and understands that defendant has a legal right to:
  - (i) file a motion for new trial within 30 days after the day sentence is imposed (or suspended) in open Court;
  - (ii) amend such motion for new trial as authorized by law;
  - (iii) have the conviction set aside and a new trial granted if such motion is granted by the Court;
  - (iv) appeal from conviction in this cause to the Court of Appeals;
  - (v) be represented on appeal by an attorney of defendant's own choice;
  - (vi) have an attorney appointed and provided free of charge to represent defendant on appeal if defendant is too poor or does not have the means to hire an attorney;  
and
  - (vii) have the record on appeal provided and furnished free of charge if defendant is too poor or does not have the means to pay for such record.

With full understanding of each and every right above described, I, said defendant, expressly waive each and every such right, and state that I do not desire to file a motion for new trial or to appeal and expressly waive each and every such right in this case, and I hereby accept as final the judgment of conviction and the sentence herein, and I request that I be allowed to commence serving the same without any further delay.

To evidence such waiver and request I sign my name.

\_\_\_\_\_  
Defendant

APPROVED:

\_\_\_\_\_  
Counsel (Attorney for Defendant)

I certify that the foregoing waiver was presented and approved in open Court at the time stated in the waiver, and the same is hereby ordered filed and included in the papers and records of this cause.

SIGNED on the day and year first above written.

\_\_\_\_\_  
Judge Presiding