

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

STATE OF WASHINGTON,
Plaintiff

vs.

Defendant

NO.

STIPULATED ORDER FOR CONTINUANCE
(__ MONTHS)

The parties to the above-entitled cause stipulate as follows:

1. The defendant is charged with the crime of _____, which carries a Maximum: _____ days in jail and _____ fine.

2. The defendant specifically waives:
a) the right to a speedy trial;
b) the right to a trial by jury;
c) the right to appeal a determination of guilt after trial;
d) the right to hear and question witnesses who testify against me;
e) the right to have witnesses appear and testify on my behalf and at no expense to me.

3. The case shall be continued ____ months. Upon successful completion of the continuance and satisfaction of the following conditions, the case shall be dismissed.

4. Successful completion of the continuance and satisfaction of the conditions shall occur on:

— The defendant shall have no criminal violations during the time of continuance in any jurisdiction inside or outside of Washington State. For the purposes of this order, the Court will find a criminal violation has occurred upon a conviction of another crime; or a finding by this Court after a hearing on evidence that the State has shown by a preponderance of evidence the defendant has committed another crime.

— The defendant shall follow the rules of District Court probation, including keeping the court informed of his or her current address, paying all fines as ordered by the court, and complying with all other terms listed on this order.

— The defendant shall pay administrative costs of \$100.00.

— The defendant shall pay an attorney fee of \$200.00, if applicable.

— The defendant shall pay Restitution to the person identified as the victim in the complaint or police report(s) generated in this case.

— The defendant shall have a domestic violence assessment done and follow any treatment recommendations that are given.

— The defendant shall complete Alcohol and Drug Information School and provide proof to the court.

— The defendant shall not possess any firearms for the duration of the Stipulated Order of Continuance.

— _____.

— _____.

5. If the defendant fails to successfully satisfy all of the conditions set forth in this stipulated order of continuance or violates any term set forth in this document, the defendant understands and stipulates that the matter will be brought back before the Court. If this order is revoked, the defendant further understands and stipulates that this matter may proceed to trial based on the evidence submitted by the State. At that time, the defendant shall have no objection to any evidence the State introduces in a matter of revocation, including, but not limited to: police reports, 911 calls, patrol vehicle videos, BAC tickets, photographs, and written witness statements. By executing this agreement, the defendant waives any and all legal challenges which may have been brought for suppression/dismissal of evidence prior to entry of this agreement.

6. The defendant understands that this agreement, by itself is not an admission of guilt or sufficiency, but that if (s)he is found to be in violation of this agreement, the judge will decide his/her guilt or innocence at a future trial based only on the evidence submitted by the State, without a jury, and that in the event of a trial (s)he waives all objections to the admissibility of any evidence submitted by the State.

7. In addition to the police reports and any other stipulated evidence, in the event the defendant is found to have violated the conditions of this continuance order, the defendant also stipulates to the following facts at trial but not to their sufficiency for a finding of guilt, which will be determined by the judge:

8. The defendant specifically waives the right to a jury on the stipulated record.

ACKNOWLEDGEMENT

I am waiving the right to trial by jury; the right to hear and question witnesses who testify against me; the right to have witnesses appear and testify on my behalf at no expense to me. I am requesting that the Court continues this matter for ___ months. I understand that I must prove that I successfully complied with all of the conditions set forth in this document; my failure to do so may result in the revocation of this Order. If it is shown that the defendant violated the conditions set forth and this Order is revoked, the judge shall consider any and all evidence submitted by the State, and, upon that evidence alone, shall make a determination on the record and find the defendant either guilty beyond a reasonable doubt or not guilty of the crime charged.

Dated this _____ day of _____, 2016.

ANDY MILLER, OFC ID 91004
 Prosecuting Attorney

by: _____
 Deputy Prosecuting Attorney
 Office

_____ Defendant

 Attorney for Defendant

ORDER

The Court hereby orders that so long as the defendant is in compliance with the stipulations entered, this matter shall be continued for a period of ___ months at which time it shall be brought on for final disposition.

Dated this _____ day of _____, 2016.

JUDGE