

IN THE GENERAL SESSIONS COURT FOR KNOX COUNTY TENNESSEE

DOCKET \_\_\_\_\_

DATE \_\_\_\_\_

RIGHTS WAIVER FORM

You have the right to have an attorney represent you. If you want a lawyer and cannot afford one, the Court will appoint one to represent you. You will be assessed a nonrefundable administrative fee of between \$50.00 and \$200.00 for a court appointed attorney. The actual amount assessed will be based upon your ability to pay.

You have the right to have a preliminary hearing in this Court to determine the issue of probable cause. If this Court finds, from the evidence, that there is a probability that you have committed an offense, this Court will send your case to the grand jury and you have the right to have the Knox County grand jury review your case. If the grand jury finds enough evidence to send the case on to Criminal Court, you then have the right to a jury trial in Criminal Court. That means that there would be a jury of twelve citizens to listen to all the evidence and then decide whether you are guilty or not guilty.

During all of these proceedings, you have the right to remain silent. You cannot be compelled to testify against yourself. That means you don't have to say anything at all about your case if you choose not to.

You have the right to be presumed not guilty and make the state prove your guilt beyond any reasonable doubt.

You have the right to confront all the witnesses against you in open Court, and have your attorney cross-examine them.

You have the right to subpoena witnesses to come into Court and testify for you and compel their attendance by subpoena.

If you are convicted, you have the right to appeal the conviction to the State Court of Criminal Appeals and, if indigent, have an appointed lawyer represent you at that stage of the proceedings also.

I understand I am pleading guilty to the charge of \_\_\_\_\_ and understand that the minimum sentence is \_\_\_\_\_ and the maximum sentence is \_\_\_\_\_.

I understand that after I plead guilty, I may be placed under oath and required to answer questions including questions about my past record, and that my answers to these questions may be used against me in setting my sentence and in perjury proceedings.

I understand all of the rights set forth above. I further understand that by pleading guilty, I voluntarily waive all of the above rights.

I understand that I have the right to be tried in Criminal Court upon an indictment or presentment by the Grand Jury. I also have the right to a trial by jury. I desire to waive these rights and to be tried in General Sessions Court.

X

DEFENDANT

I have explained all of the rights and other matters set forth above to my client.

ATTORNEY FOR DEFENDANT

**WAIVER AND PLEA**

I understand that I have the right to be tried in Criminal Court upon an indictment or presentment by the Grand Jury. I also have the right to a trial by jury. I desire to waive these rights and to be tried in General Sessions Court on this warrant.

I plea **GUILTY** to the above listed charge.

**X**

DEFENDANT

**POSSIBILITY OF NON-CITIZEN DEPORTATION**

It is the duty of this Court to inform each non-citizen defendant that his plea and conviction may carry a risk of immigration deportation. If a defendant is a non-citizen, he or she may wish to consult with an attorney for advice prior to pleading to an offense. I have explained all of the rights and other matters set forth above to my client.

**X**

ATTORNEY FOR DEFENDANT

DEFENDANT

DATE

**HANDGUN CARRY PERMIT**

Have you been issued a Tennessee HANDGUN CARRY PERMIT in accordance with Tenn. Code Ann 39-17-1351 et seq.? NO \_\_\_ YES \_\_\_ PERMIT TAKEN \_\_\_\_\_ (DATE)

**X**

DEFENDANT

**DOMESTIC VIOLENCE OFFENSE FIREARM NOTIFICATION**

Tenn. Code Ann. 40-14-109

STATE OF TENNESSEE  
VS

)  
)  
)

NO. \_\_\_\_\_

Prior to accepting your plea of guilty, this Court must advise you that it is a federal and state offense for a person convicted of a domestic violence offense to possess or purchase a firearm. This is a life-long prohibition. From the moment of conviction for a domestic violence offense, you will never again be able to lawfully possess or buy a firearm of any kind.

**ACKNOWLEDGEMENT**

I do hereby acknowledge that I understand the consequences of a conviction for a domestic violence offense and I still wish to enter this plea of guilty to this domestic violence offense. I fully understand that upon conviction of this domestic violence offense that I will never again be able to lawfully possess or buy a firearm of any kind.

**DOMESTIC ASSAULT ENHANCEMENT NOTIFICATION**

Tenn. Code Ann. 39-13-111

A second conviction for domestic assault is punishable by a fine of not less than \$350.00 nor more than \$3,500.00, and confinement in the county workhouse or jail for not less than 30 consecutive days nor more than 11 months and 29 days.

A third or subsequent conviction for domestic assault is punishable by a fine of not less than \$1,100.00 nor more than \$5,000.00, and confinement in the county workhouse or jail for not less than 90 consecutive days nor more than 11 months and 29 days.

**X**

ATTORNEY FOR DEFENDANT

DEFENDANT

DATE

State of Tennessee	Court _____	County _____
Dispossession of Firearm(s) Pursuant to T.C.A §39-13-111(c)		File No. _____
		Division _____ (Large Counties Only)
State of Tennessee		
v.		
Defendant _____ (Name: First, Middle, Last)		

Defendant has pled guilty or has been found guilty of a domestic violence offense per TCA §40-14-109.

Pursuant TCA §39-13-111(c)(6)(A), Defendant shall terminate physical possession of all firearms in the defendant's possession within 48 hours of the conviction by any lawful means, such as transferring possession to a third party who is not prohibited from possessing firearms.

AND pursuant to TCA §39-13-111(c) (6)(B)(1), Defendant shall complete an affidavit of firearms dispossession form and return it to the office of the clerk of the court in which Defendant was convicted.

To the Defendant: Fill out this form and file it with the Court Clerk within the time frame the Court has ordered you to do so, or within one business day of surrendering your firearms.

**Firearms Disposal (Defendant must read and fill out below):**

1. I understand I may not own or have firearms.

2. Check one box below:

I do not own or possess firearms (skip to signature line on page 2)

I own or possess firearms (continue filling out the rest of the form)

3. Because I own or possess firearms, I did the following on \_\_\_\_\_ (date)  
at \_\_\_\_\_  a.m.  p.m. (Check all that apply)

I gave the firearm(s) to a third party who is not prohibited from possessing firearms.

I dispossessed myself of (no longer have) the firearms by another lawful means.

Specifically, I did the following: \_\_\_\_\_

I have a National Firearms Act weapon and I had the firearm(s) locked up in a safe or other container that I cannot access.

I have a federal firearms license (FFL) or am a responsible party under an FFL, and:  
(you must check one):

I transferred my firearms inventory to a responsible third party who is listed on my FFL.

I am the only responsible party listed on my license, and I transferred my firearms inventory to a separate FFL holder.

4. I dispossessed myself of the following specific firearms:

Firearm Make:	Model	Caliber	Serial #

I, Defendant, declare under penalty of perjury under the laws of the State of Tennessee that the information I have provided is true, correct, and complete.

Defendant: Sign here in front of Notary/Clerk: X \_\_\_\_\_ Date: \_\_\_\_\_

*Notary/Clerk fills out below:*

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public or Clerk/Deputy Clerk

\_\_\_\_\_  
My Term Expires