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O'Clock P.M.

APR 11 2022 ✓

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

DONNA McQUALITY, Clerk
By: M. GREENWOOD

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,)
)
 Plaintiff,)
)
 vs.)
)
 Walter Harold Mitchell III)
)
 Defendant.)
)

Case No. P 1300CR 202100015

WAIVER OF COUNSEL

Instructions: You have told the Judge that you do not want a lawyer. The purpose of this form is to notify you of your rights to a lawyer and of the ways in which a lawyer can be important to you in this case, but to allow you to give up your rights if you so choose. Read the entire form carefully before signing it.

Right to a Lawyer

I understand that I am charged with the crime(s) of 29 counts of Abandonment and Concealment of dead body C5F

which is a felony under the laws of the State of Arizona, and that if I am found guilty, I can be given a severe punishment, including imprisonment in the Arizona State Prison, incarceration in the Yavapai County Jail, by a fine or other penalty.

I understand that, under the Constitution of the United States, and of the State of Arizona, I have the right to be represented by a lawyer at all critical stages of this criminal case-before trial, at the trial itself and during proceedings to determine what sentence should be imposed if I am found guilty. I understand that if I am unable to obtain the services of a lawyer without incurring substantial hardship to myself or to my family, one will be furnished for me free of charge.

I understand that the services of a lawyer can be of great value in determining whether the charge against me is sufficient as a matter of law, whether the procedures used in investigating the charge and obtaining evidence against me, including any confession I may have made, were lawful, whether an act I may have committed actually amounts to the crime of which I am charged, whether I have any other valid defense to the charge, and, if I am found guilty, whether I should be placed on probation, be required to pay a fine or be sentenced to a term of imprisonment. I understand that if I am found guilty of the offense charged, the Court may sentence me to a term of imprisonment even though I have given up my right to a lawyer.

Right to a Lawyer at Any Time

I understand that I can change my mind about having a lawyer at any time by asking the Judge to appoint a lawyer for me, but that I will not be entitled to repeat any part of the case already held without a lawyer.

Certification and Waiver

After reading and understanding all of the above, I hereby give up my rights to a lawyer in this case and to have a lawyer furnished for me free of charge if I cannot afford one.

DO NOT SIGN THIS FORM UNLESS YOU HAVE READ IT COMPLETELY OR HAD IT READ TO YOU

DO NOT SIGN THIS FORM IF YOU WANT A LAWYER

DATED this 11 day of April 11, 2022.



Defendant

ENTERED BEFORE ME this _____ day of _____, 20____.

HON.
Judge of the Superior Court

WESTLAW Arizona Court Rules

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16A A.R.S. Rules Crim.Proc., Form 8

Form 8. Notice of Right to Counsel and Waiver

Currentness

SUPERIOR COURT

YAVAPAI County, Arizona

STATE OF ARIZONA Plaintiff

[CASE/COMPLAINT NO.]

-VS-

P1300CR202100015

**NOTICE OF
RIGHT TO COUNSEL
AND WAIVER**

WALTER, H, MITCHELL

Defendant (FIRST, MI, LAST)

READ THE ENTIRE FORM CAREFULLY BEFORE SIGNING IT

You have elected to proceed without an attorney either because:

you do not want an attorney,

the Court has determined that you are not entitled to a court- appointed attorney and you choose not to retain one.

The purpose of this form is to notify you of your right to an attorney, of the ways in which an attorney can be important to you in this case, and also to allow you to give up your rights if you so choose.

I understand that I am charged with the following crime(s) under the laws of Arizona:

§ 13-2926 (A) X 29

which is a class 5 felony misdemeanor

which is a class felony misdemeanor

which is a class felony misdemeanor

which is a class felony misdemeanor

which is a class felony misdemeanor

I understand that if I am found guilty, I can be given a severe punishment, including incarceration in the Arizona State Prison, in the YAVAPAI County Jail, a fine, or other penalty.

I understand that under the Constitutions of the United States and the State of Arizona, I have the right to be represented by an attorney at all critical stages of this criminal case: before trial, at trial itself, during proceedings to determine what sentence should be imposed if I am found guilty, and for an appeal. I understand that, for certain offenses, if I am unable to obtain the services of an attorney without incurring substantial hardship to myself or to my family, one will be appointed for me at a reduced cost or at no cost to me.

I understand that the services of an attorney can be of great value, for example: in determining if the charges against me are

sufficient as a matter of law; whether the procedures used in investigating the charges and obtaining evidence against me, including the lawfulness of any search, seizure or police questioning; if an act I may have committed actually amounts to the crime for which I am charged; if I have any other valid defense to the charges; if I am found guilty, whether I should be placed on probation, be required to pay a fine, or be sentenced to a term of incarceration; or if appellate review would be justified. I understand that, if I am found guilty of the offense charged, the Court may sentence me to a term of incarceration, even though I have given up my right to an attorney.

RIGHT TO AN ATTORNEY AT ANY TIME

I understand that I can change my mind about having an attorney at any time by asking the judge to appoint an attorney for me or by hiring my own attorney. I also understand that I will not be entitled to repeat any part of the case already held or to delay scheduled court proceedings based solely on changing my mind about having an attorney.

CERTIFICATION AND WAIVER

I certify that I have read and understand all of the above, and I hereby waive my right to an attorney in this case, and to have an attorney appointed at a reduced cost or at no cost to me, for eligible offenses, if I cannot afford one.

DO NOT SIGN THIS FORM UNLESS YOU HAVE READ IT COMPLETELY, OR HAD IT READ TO YOU AND UNDERSTAND IT FULLY.

DO NOT SIGN THIS FORM IF YOU WANT AN ATTORNEY.

Dated APRIL 11, 2022 Defendant  Interpreter _____

FINDING

After advising the defendant of the dangers and disadvantages of self-representation, the Court finds that the defendant's waiver of counsel is knowing, voluntary, and intelligent.

Dated _____ Judicial Officer's Signature _____

Credits

Added Sept. 5, 2007, effective Jan. 1, 2008.

16A A. R. S. Rules Crim. Proc., Form 8, AZ ST RCRP Form 8

State Court Rules are current with amendments received and effective through 3/1/22. The Code of Judicial Administration is current with amendments received through 3/1/22.

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