

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SONOMA

COUNTY OF SONOMA, DEPARTMENT

DEFENDANT'S WAIVER OF CONSTITUTIONAL RIGHTS PRIOR TO ENTRY OF PLEA OF GUILTY OR NO CONTEST

DEFENDANT'S NAME: Matthew Manning

CASE NO.: DAR 513369  
SCR 470373  
(Def. Initial After Reading)

ATTORNEY'S NAME: JEFFREY Cohen

1. I UNDERSTAND THAT I AM CHARGED WITH THE OFFENSE OF 647(a) PC  
TO WHICH I PLEAD (GUILTY) (NO CONTEST) AND I DO FREELY AND VOLUNTARILY  
GIVE UP EACH AND ALL OF MY FOLLOWING RIGHTS:

- a. To be represented by an attorney of my own choice, or if I cannot afford an attorney, to have the court appoint one to represent me subject, however, to the possibility that the court may at the conclusion of these proceedings against me, require that I pay a portion or all of the cost thereof based upon my then financial ability. MCM
- b. To a speedy trial, that is: Within 30 days of my arraignment if I am in custody, or within 45 days thereof if I am not in custody and to a dismissal of the charges against me if I am not so tried. MCM
- c. To a public trial by court or by a jury at my election. MCM
- d. To confront the witnesses against me in trial and to cross examine them myself or through my attorney. MCM
- e. To subpoena witnesses for my defense without expense to me. MCM
- f. To testify in my own defense. MCM
- g. To refuse to testify if I so desire and to thereby refuse to give evidence that may be used against me. MCM
- h. To the presumption of innocence until the prosecution shall have proved me guilty beyond a reasonable doubt. MCM

2. I understand the nature of the charges against me, the elements thereof and the available pleas and defenses thereto. MCM

3. I understand that the maximum and mandatory minimum sentences for this offense are as follows:

6 months in County Jail and/or \$2000 maximum fine

4. It is stipulated that this case may be heard and/or sentence imposed by a court commissioner. MCM

5. I understand that if I am charged and convicted of a similar offense in the future that the plea of (guilty) (no contest) I now enter may be used to increase my punishment, the consequences of which have been explained to me (including "Page 2" hereof). MCM

6. I also understand that if I receive probation and violate any of the terms thereof, I may be returned to Court and sentenced, as in Paragraph 3 above, on this charge as set forth in Paragraph 3 above. MCM

7. I understand that if I am not a citizen of the United States, the conviction for the offense charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States. MCM

8. I understand that the following sentence will be (recommended) (imposed and if it is not so imposed than I may withdraw my plea):

1) MINIMUM STATUTORY FINE 2) MINIMUM STATUTORY RESTRICTION 3) STAY AWAY ORDER FROM ME  
AVOID VICTIM, [REDACTED] FOR 1 YEAR 4) STAY AWAY ORDER FROM 24 FINES (SANTA ROSA ONE  
FOR 1 YEAR 5) 90 DAYS - SUSPENDED 6) THIS OFFENSE WILL NOT BE APPLICABLE FOR SEX OFFENDER REGISTRATION

9. DEFENDANT: I have personally initialed each of the above boxes and I understand each and every one of the rights outlined above and I hereby waive and give up each of them in order to enter my (guilty) (no contest) plea to the above charge

DATED: NOV 30, 2005

SIGNED: Matthew Manning  
(Defendant's Signature)

10. DEFENDANT'S ATTORNEY ONLY: I am attorney of record and I have explained each of the above rights to the defendant, and having explored the fact with him and studied his possible defenses to the charge(s), I concur in his decision to waive the above rights and to enter a plea of (guilty) (no contest). I further stipulate that this document may be received by the court as evidence of defendant's intelligent waiver of these rights and that it shall be filed by the clerk as a permanent record to that waiver. I have witnessed the reading of this form by the defendant and his initialings and signature upon it.

DATED: 11-30-05

SIGNED: Jeffrey Cohen  
(Attorney's Signature)

AFTER READING, INITIALING AND SIGNING, GIVE TO COURTROOM CLERK

CONSEQUENCES OF PLEA OF "GUILTY" OR "NO CONTEST" TO

The Court finds that said waivers have been made knowingly, intelligently, freely, voluntarily, and understandingly, and that there is a factual basis for the plea(s).

DATED: 11/30/05

SCMC 035 (REV/01/02) GDY



SIGNED: [Signature]  
(Judge's Name)

SEE BACK OF THIS PAGE