

FORM 32c - WAIVER OF RIGHTS AND AGREEMENT REGARDING RULE 26.01, SUBD.**4****State of Minnesota****District Court**

County _____

Judicial District: _____

Court File Number: _____

Case Type: _____ Criminal

State of Minnesota,
Plaintiff

vs.

Waiver of Rights and Agreement

**Regarding Rule 26.01, subd. 4,
Trial on Stipulation to
Prosecution's Case to Obtain
Review of a Pretrial Ruling**_____
Defendant

TO THE ABOVE-NAMED COURT:

PROSECUTOR'S AGREEMENT THAT PRETRIAL RULING IS DISPOSITIVE

1) The prosecutor acknowledges and agrees that the court's ruling on the following pretrial issue is dispositive of the case or that a trial will be unnecessary if the defendant prevails on appeal
(describe pretrial ruling):

Dated: _____

Signature of Prosecutor

DEFENDANT'S AGREEMENT, NOT GUILTY PLEA, WAIVER OF TRIAL BY JURY AND
 ASSOCIATED RIGHTS, STIPULATION, AND ACKNOWLEDGMENT OF LIMITED
 APPELLATE REVIEW

2) I, _____, Defendant in the above-entitled action, acknowledge and agree that the court's pretrial ruling described in paragraph 1 of this document is dispositive of this case or that a trial will be unnecessary if I prevail on appeal.

3) I maintain my plea of not guilty.

a. I have been advised by the court of my right to a trial by jury. I understand that: a jury is composed of the number of jurors required by law, selected from the community,

b. I may participate in the selection of the jurors,

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- c. the jury's verdict must be unanimous, and
- d. if I waive a jury, the judge alone will determine my guilt or innocence.

Having had an opportunity to consult with counsel, I waive my right to a trial by jury.

4) I have had an opportunity to consult with counsel regarding the following trial rights. I acknowledge and waive my rights:

- a. to testify at trial,
- b. to have the prosecution witnesses testify in open court in my presence,
- c. to question those prosecution witnesses, and
- d. to require any favorable witnesses to testify for me in court.

5) I stipulate to the prosecution's evidence in a trial to the court. I acknowledge that the court will receive and consider the prosecution's evidence and that the court may find me guilty based on that evidence. Specifically, I stipulate to the following evidence (describe stipulations or refer to on-the-record recitation of stipulations):

6) I acknowledge that appellate review in this case will only be of the pretrial ruling described in paragraph 1 of this document and not of my guilt or of other issues that could arise at a contested trial.

Dated: _____

Signature of Defendant

Name: _____

Street Address: _____

City/State/Zip: _____

E-mail address: _____

(Added effective October 1, 2017.)