

IN THE DISTRICT COURT WITHIN TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

-vs.-

CASE NO. CRF—_____

Defendant.

WAIVER OF PRELIMINARY HEARING

I, _____, the above named defendant, do hereby waive and give up my right to have a preliminary hearing on the charge of _____

In doing so I declare and state the following to the Court:

1. My attorney is _____, and we have fully discussed this charge, my right to have a preliminary hearing and the purpose of a preliminary hearing.
2. I understand the nature of the charge against me and understand it is a felony offense for which the Constitution of the State of Oklahoma gives me the right to have a preliminary hearing.
3. I have been advised by my attorney(s) and understand that at the preliminary hearing the prosecutor is required to present witnesses and evidence to the Court to prove that the felony crime I am charged with was in fact committed and there is probable cause or good reason to believe I committed the crime. I also understand that I can present witnesses and evidence at the preliminary hearing.
4. I have further been advised by my attorney(s) and understand that by waiving this preliminary hearing, I do not in any way admit any guilt or responsibility for the crime with which I am charged and I specifically understand I do not give up my right to have a jury trial or non-jury trial.
5. I have not been promised anything, threatened, forced or influenced against my will in any way to waive and give up this preliminary hearing, but have made this decision and choice freely, knowingly and voluntarily after having talked with my attorney(s) as much as I want to. I am not under the influence of any alcohol, drugs, or medication that would impair my ability to make this decision.
6. I have been advised by my attorney(s) and understand that this waiver of preliminary hearing is final and that if the District Judge to whom this case is assigned will not accept plea bargaining (if any) I cannot automatically come back for a preliminary hearing.
7. I can read and write the English language; I have read this Waiver of Preliminary Hearing and fully understand what it says and means.

DONE IN OPEN COURT this _____ day of _____, _____.

Defendant

Attorney for Defendant

BIND-OVER ORDER

The defendant's waiver is accepted by the court and is entered in the record; where upon, defendant is bound over to the District Court for District Court Arraignment and further proceedings before District Judge _____ in his/her courtroom on the _____ floor of the Tulsa County Courthouse.

The defendant is ordered to appear before this District Judge on _____ at _____ a.m.

Examining Magistrate