

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

BANNING 311 E. Ramsey St., Banning, CA 92220
 BLYTHE 265 N. Broadway, Blythe, CA 92225
 INDIO 46-200 Oasis St., Indio, CA 92201

MURRIETA 30755-D Auld Rd., Ste. 1226, Murrieta, CA 92563
 RIVERSIDE 4100 Main St., Riverside, CA 92501

RI-CR079

<p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p>vs.</p> <p>DEFENDANT:</p>	<p><i>FOR COURT USE ONLY</i></p> <hr/> <p>CASE NUMBER:</p>
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977 NON-APPEARANCE ENTRY OF MISDEMEANOR PLEA, ADMISSION TO VIOLATION OF PROBATION OR ENTRY INTO DIVERSION

1. This process may be used for the following types of cases:
 - a. All misdemeanor pleas *other than the following*:
 - i) Cases that require a criminal protective order (i.e. cases where a protective order is being granted pursuant to PC §§ 1203.097, 136.2(i)(1), 136.2(i)(2), 273.5(j), 368(l), and 646.9(k))
 - ii) Cases that require a Prohibited Persons Relinquishment Form (AFS) per PC § 29810.
 - b. All misdemeanor admissions to violation of probation
 - c. All misdemeanor PC 1000 Diversion cases.
2. Counsel must attach a signed Entry of Plea of Guilty Through Counsel (RI-CR055) and/or a signed Entry of Admission to Violation of Probation, PC1000 Diversion and/or Program Reinstatement form (RI-CR080)
3. The relevant portions of this form must be filled out by both defense counsel *and* the prosecution.
4. All start and completion dates must be filled out in the appropriate forms. *If those dates are not included the plea will be rejected.* **Current enrollment and program completion dates are available** on the Court's website at the following location:
https://www.riverside.courts.ca.gov/PublicNotices/Program_Enrollments_Completion_Dates_Current.pdf
5. This form, along with all supporting documents, must be filed **at least 10 court days** prior to the next scheduled court hearing date. If counsel does not see that the Court approved and entered the plea prior to the next scheduled court date, and that the hearing date was vacated, it is their responsibility to be present in court on that date.

To be filled out by Defense Counsel:

I, _____, have confirmed that the following documents have been completely filled out as required (*check all that apply*).

- Misdemeanor Plea Form (Must include the specific counts/charges/enhancements to which defendant is pleading or admitting and the maximum exposure time.) (Must be signed by both attorneys and defendant.)
- Violation of Probation Advisement and Waivers (CR006). (Must be signed by both counsel and defendant.)
- Pretrial Drug Diversion Program Referral (PC §1000). (Must be signed by both counsel and defendant.)
- Entry of Plea of Guilty Through Counsel (RI-CR055). (Must be signed by defense counsel and defendant.)
- Entry of Admission to Violation of Probation, [Pretrial] Drug Diversion Program Referral – (PC 1000) and/or Program Reinstatement/Re-Enrollment form (CR029). (Must be signed by defense counsel and defendant.)
- Sentencing Memorandum/Terms and Conditions (CR002). (Must be signed by both attorneys and defendant.)

DEFENDANT: _____	CASE NUMBER: _____
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- Community Service Direct Referral form. (All case information must be completely filled out.)
- Community Service Location Forms (if currently used in your location).
- Instructions to Defendant Sheet (CR010). (Must be completely filled out.)

To be filled out by Prosecution:

I, _____, have done the following:

- Reviewed the above documents for completion and accuracy.
- Satisfied Marsy's Law Obligations (California Constitution article I, § 28, section (b)).
- Attached any applicable victim statements that were submitted pursuant to Marsy's Law (California Constitution article I, § 28, section (b)).
- Included all relevant victim information for purposes of restitution determination.
- Included a proposed Amended Complaint (if needed).
- Included a Prosecutor's Reduction Statement (if needed).
- Move to dismiss or terminate probation in the following cases as part of the negotiated disposition:

(ATTORNEY FOR DEFENDANT)

(DATE)

(DEPUTY DISTRICT ATTORNEY)

(DATE)

ORDER

Request is:

- Approved.
- Denied for the following reasons:
 - 977 Plea not permissible for the following charges: _____
 - Misdemeanor Plea Form does not specify the specific counts and/or enhancements to which a plea is being entered.
 - Misdemeanor Plea Form does not specify the maximum possible custodial commitment.
 - Misdemeanor Plea Form is not properly initialed or signed by all parties.
 - The Sentencing Memorandum does not have enrollment and/or completion dates.
 - The Sentencing Memorandum does not include the following mandatory terms:

 - The following forms are missing: _____
 - Amended Complaint not submitted
 - Other Reasons: _____

Dated: _____

(JUDGE OF THE SUPERIOR COURT)