



**OKLAHOMA
STATE
COURTS
NETWORK**

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**IN RE: REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL
APPEALS**

2025 OK CR 14

Case Number: CCAD-2025-2

Decided: 09/12/2025

THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA

Cite as: 2025 OK CR 14, __ P.3d __

IN RE: REVISION OF PORTION OF THE RULES OF THE COURT OF CRIMINAL APPEALS

**ORDER ADOPTING AMENDMENTS TO EXISTING FORMS
AND ADOPTING NEW FORM**

¶1 We find that a new Form should be adopted and certain existing Forms revised due to the Sentencing Modernization Act of 2024 as well as several needed updates. To that end, we find that amending Forms 13.8 and 13.10; and the creation of Form 13.18 is necessary. Pursuant to the provisions of Section 1051(B) of Title 22 of the Oklahoma Statutes, we hereby revise, adopt, promulgate, and republish portions of the *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2025), as set forth in the following attachment (~~striketrough~~ denotes deleted words, underline denotes added words).

¶2 **IT IS SO ORDERED, ADJUDGED, AND DECREED** that these revisions shall become effective on the date of this order.

¶3 **IT IS SO ORDERED.**

¶4 **WITNESS OUR HANDS AND THE SEAL OF THIS COURT** this 12th day of September, 2025.

/S/ _____

GARY L. LUMPKIN, Presiding Judge

/S/ _____

WILLIAM J. MUSSEMAN, Vice Presiding Judge

/S/ _____

DAVID B. LEWIS, Judge

/S/ _____

ROBERT L. HUDSON, Judge

/S/ _____

SCOTT ROWLAND, Judge

ATTEST:

/s/ _____

Clerk

Form 13.8 Uniform Judgment and Sentence

IN THE DISTRICT COURT OF _____ COUNTY
THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
Plaintiff,)
) Case No.:
vs.)
)
)
Defendant.)

Year of Birth: _____
Place of Birth: _____
Last four digits of SS#: _____
DOC #: _____
Last four digits of DL#: _____
State of issuance: _____

JUDGMENT AND SENTENCE

Now, on this _____ day of _____, 20____, this matter comes on before the undersigned Judge, for sentencing and the Defendant, _____, appears personally and by Attorney _____, the State of Oklahoma represented by _____ and the Defendant, having previously:

- () Entered a plea of guilty
- () Entered a plea of Nolo Contendere
- () Been found guilty by jury
- () Been found guilty by Judge after waiver of jury trial
- () Other _____

To/of the crime(s) of: ~~Statutory Reference~~

Count _____; _____ O.S. _____
Class _____ Date of Offense: _____

Count _____; _____ O.S. _____
Class _____ Date of Offense: _____

Count _____; _____ O.S. _____
Class _____ Date of Offense: _____

Count _____; _____ O.S. _____
Class _____ Date of Offense: _____

Count _____; _____ O.S. _____
Class _____ Date of Offense: _____

Count _____ ; _____ O.S. _____

Class _____ Date of Offense: _____

(Attach additional sheet for additional counts or if computerized, add to body of Judgment and Sentence at each appropriate place.)

() ~~The defendant has previously been convicted of _____ (insert number) felony crimes and~~

~~the sentence has been enhanced in accordance with the provisions set forth in~~

~~_____ O.S. _____ ; and,~~

The defendant's conviction(s) are after (check all that apply):

(.) no prior felony convictions

Count(s) enhanced pursuant to 21 O.S. § 51.1: _____

(.) after one (1) prior felony conviction

(.) after two (2) or more prior felony convictions

List applicable prior felony conviction(s): _____

Count(s) enhanced pursuant to 21 O.S. § 20A et seq. (Sentencing Modernization Act): _____

(.) after one (1) or two (2) prior Class C/D felony conviction(s)

(.) after one (1) or more prior Class A/B/Y felony conviction(s) or three (3) or more prior Class C/D felony convictions

List applicable prior felony conviction(s) (and class) _____

Count(s) enhanced pursuant to _____ O.S. § _____ :

(.) after _____ prior felony conviction(s)

List applicable prior felony conviction(s): _____

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant,

_____, is guilty of the above described offenses and is sentenced as follows:

TERM OF IMPRISONMENT

COUNT SENTENCED TO A TERM OF (mark percentage as N/A if not applicable):

_____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

Under the custody and control of:

() Oklahoma Department of Corrections;

() the _____ County Sheriff; or

() other: _____ .

These terms to be served as follows (consecutive/concurrent) (with/without credit for time served):

_____.

Upon release from such confinement, the Defendant shall serve a term of post-imprisonment supervision, under conditions prescribed by the Department of Corrections, for a period of:

_____.

TERM OF IMPRISONMENT WITH EXECUTION OF SENTENCE SUSPENDED IN PART

(Attach additional sheet(s) to clarify, if necessary.)

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

With all except the first _____ suspended under the custody and control of:

() Oklahoma Department of Corrections; or

() the _____ County Sheriff,

pursuant to the rules and conditions of probation entered by the court.

These term(s) to be served as follows (consecutive/concurrent) (with/without credit for time served):

_____.

Upon release from such confinement, the Defendant shall serve a term of post-imprisonment supervision, under conditions prescribed by the Court, for a period of:

_____.

TERMS OF IMPRISONMENT WITH EXECUTION OF SENTENCE SUSPENDED

(Attach additional sheet(s) to clarify, if necessary)

COUNT SENTENCED TO A TERM OF (mark percentage as N/A if not applicable):

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

_____ : _____ at _____ %

Under the custody and control of:

() Oklahoma Department of Corrections; or

() the _____ County Sheriff,

All of said term(s) of imprisonment suspended pursuant to the rules and conditions of probation entered by the court.

These term(s) to be served as follows (consecutive/concurrent) (with/without credit for time served):

Upon release from such confinement, the Defendant shall serve a term of post-imprisonment supervision, under conditions prescribed by the Court, for a period of:

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that in addition to the preceding terms, the Defendant is also sentenced to:

FINE

() The defendant shall pay a fine of \$ _____

() immediately; or

() on or before _____, 20____ at the rate of \$ _____ per _____, or within _____ days of release from the Department of Corrections.

() payment of \$ _____ is suspended pursuant to Rules and Conditions of probation.

COSTS, VCA, RESTITUTION

() The defendant shall pay costs, fees, and restitution in accordance with the schedule attached as

Exhibit _____.

RULES AND CONDITIONS OF PROBATION

The rules and conditions of probation as ordered by the court and signed by the defendant, acknowledging his/her understanding of the rules and conditions, are incorporated as Exhibit _____.

ATTORNEY FEES

(The defendant shall pay court-appointed attorney fee in the amount of \$_____on or) before_____, 20____, to _____.

HEARING ON ABILITY TO PAY AFTER INCARCERATION

(The defendant shall report to the District Court of _____ County within _____days of) release for a hearing on the defendant's ability to pay fines and costs pursuant to Section VIII of the Rules of the Court of Criminal Appeals, 22 O.S., Ch. 18, App.

IT IS FURTHER ORDERED that judgment is hereby entered against the Defendant as to the fines, costs and assessments set forth above.

The Court further advised the Defendant of his/her rights and procedure to appeal to the Court of Criminal Appeals of the State of Oklahoma, and that if he/she desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State subject to reimbursement of the cost of representation in accordance with Sec. 1355.14 of Title 22. The Court further advised the Defendant that, in the event the above sentence is for a crime involving domestic violence where the Defendant is or was a spouse, intimate partner, parent, or guardian of the victim or is or was involved in another similar relationship with the victim it may be unlawful for him or her to possess, purchase, receive, transport or ship a firearm including a rifle, pistol or revolver or ammunition pursuant to federal law under 18 U.S.C. Section 922(g)(8) or (9), or state law, or both.

In the event the above sentence is for incarceration in the Department of Corrections, the Sheriff of _____ County, Oklahoma, is ordered and directed to deliver the Defendant to the Lexington Assessment and Reception Center at Lexington, Oklahoma, and leave therewith a copy of this Judgment and Sentence to serve as warrant and authority for the imprisonment of the Defendant as provided herein. A second copy of this Judgment and Sentence to be warrant and authority of the Sheriff for the transportation and imprisonment of the Defendant as herein before provided. The Sheriff to make due return to the Clerk of this Court, with his proceedings endorsed thereon.

COURT CLERK'S DUTY

[trial judge to complete this section]

IT IS FURTHER ORDERED that the Clerk of this Court shall register or report the following circumstances in accordance with the applicable statutory authority:

() As to Count(s) _____, the defendant is ineligible to register to vote and the Clerk of this Court shall submit a report pursuant to Section 4-120.4 of Title 26. ~~pursuant to Section 4-101 of Title 26.~~

() ~~As to Count(s) _____, Pursuant to Section 985.1 of Title 22,~~ the Court departed from the mandatory minimum sentence of imprisonment and the Clerk of this Court shall submit a report pursuant to Section 985.2. ~~as to Count(s) _____.~~

() As to Count(s) _____, the defendant is subject to the Mary Rippy Violent Crime Offenders ~~Registration Act~~ and the Clerk of this Court shall forward registration information, including Form 13.18 if applicable, as set forth in Section 597 of Title 57. ~~requirements as set forth in Section 594 of Title 57.~~

() As to Count(s) _____, the defendant is subject to the Methamphetamine Offender Registry requirements and the Clerk of this Court shall forward registration information as set forth in Section 2-701 of Title 63. ~~as set forth in Section 2-701 of Title 63.~~

(.) As to Count(s) _____, the defendant is subject to the Sex Offender Registry requirements and the Clerk of this Court shall forward registration information as set forth in Section 582.2 of Title 57.

() Defendant is a lawyer and certified copies of this document shall be transmitted to the Chief Justice of the Supreme Court and the General Counsel of the Bar Association within five (5) days as set forth in Section Rule 7.2 of the Oklahoma Rules Governing Disciplinary Proceedings of Professional Conduct, 5 O.S.Supp.2014, ch. 1, app. 1-A.

Witness my hand the day and year first above mentioned.

JUDGE OF THE DISTRICT COURT

(SEAL)

(Name of Judge Typed)

ATTEST:

Court Clerk

Deputy Clerk

CLERK'S CERTIFICATION OF COPIES

I, _____, Clerk of the District Court of _____ County, State of Oklahoma, do hereby certify the foregoing to be true, correct, full and complete copy of the original Judgment and Sentence in the case of the State of Oklahoma vs. _____ as the same appears of record in my office.

WITNESS my hand and official seal this _____ day of _____ 20____.

(SEAL)

By:

Court Clerk

Deputy Court Clerk

SHERIFF'S RETURN

I received this Judgment and Sentence the _____ day of _____ 20____,

and executed it by delivering the Defendant to the Warden of the _____ ~~Assessment and Reception Center~~ Lexington at _____ Lexington, Oklahoma, on the _____ day of _____, 20____.

I also certify the above prisoner has served _____ days in the County Jail on the present charge or charges.

Sheriff

Deputy Sheriff

Form 13.10 Uniform Plea of Guilty - Summary of Facts

IN THE DISTRICT COURT OF _____ COUNTY
THE STATE OF OKLAHOMA

8. Have you ever been treated by a doctor or health professional for mental illness or Yes No
confined in a hospital for mental illness?

If yes, list the doctor or health professional, place, and when occurred:

9. Do you understand the nature and consequences of this proceeding? Yes No

10. Have you received a copy of the Information and read its allegations? Yes No

11. Does the State move to dismiss or amend any case(s) or count(s) in the information or Yes No
on page 2 of the information? If so, set forth the cases/counts dismissed or amended.

12. A. Do you understand you are ~~charged with~~ now entering a plea to the following charges:

Crime / Statutory Reference / Class Letter and Number

(1)	_____	O.S.	_____	Class	_____	Yes	No
(2)	_____	O.S.	_____	Class	_____	Yes	No
(3)	_____	O.S.	_____	Class	_____	Yes	No
(4)	_____	O.S.	_____	Class	_____	Yes	No
(5)	_____	O.S.	_____	Class	_____	<u>Yes</u>	<u>No</u>
(6)	_____	O.S.	_____	Class	_____	<u>Yes</u>	<u>No</u>

For additional charges: List any additional charges on a separate sheet and label as PLEA OF GUILTY
ADDENDUM B.

B. Are you charged after former conviction of a felony? Do you understand your plea of guilty to the charge(s) is/are after: (check all that apply)

Yes
No

() no prior felony convictions

Count(s) enhanced pursuant to 21 O.S. § 51.1: _____

() after one (1) prior felony conviction

() after two (2) or more prior felony convictions

List applicable prior felony convictions to which pleading: _____

Count(s) enhanced pursuant to 21 O.S. § 20A et seq. (Sentencing Modernization Act):

() after one (1) or two (2) prior Class C/D felony conviction(s)

() after one (1) or more prior Class A/B/Y felony conviction or three (3) or more prior Class C/D felony convictions

List applicable prior felony convictions (and class) to which pleading: _____

Count(s) enhanced pursuant to _____ O.S. § _____ :

() after _____ prior felony conviction(s)

List applicable prior felony convictions to which pleading: _____

If yes, list the felony(ies) charged: _____

13. Have you previously been convicted of a felony? If so, when, where and for what felony/felonies? _____

~~14.~~ ____ (Check if applicable) Do you understand you are subject to the Delayed Yes No
13. Sentencing Program for Young Adults and what that sentencing program involves?

~~(Check if applicable) Do you understand that upon a conviction on a plea of guilty to the offense(s) of you will be required to serve a minimum sentence of:~~ Yes No

~~85% of the sentence of imprisonment imposed before being eligible for parole consideration and are not eligible for earned or other type of credits which will have the effect of reducing the length of sentence to less than 85% of the sentence Yes No imposed?~~

~~% of the sentence of imprisonment imposed or received prior to becoming eligible for state correctional earned credits toward completion of your sentence or eligibility for parole?~~ Yes No

(Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of will subject you to mandatory compliance with the Oklahoma Sex Offender Registration Act? Yes No

(Check if applicable) Do you understand that any person sentenced to imprisonment for two (2) years or more for the offense(s) of _____, involving sexual abuse, sexual exploitation, or illegal sexual conduct, shall be required to serve a term of post- Yes No imprisonment supervision for at least three (3) years under conditions determined by the ~~Department of Corrections~~ Court in addition to the actual term of imprisonment. There will be no post-imprisonment supervision for a sentence of life or life without the possibility of parole for offenses involving sexual abuse, sexual exploitation, or illegal sexual conduct.

(Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of will subject you to mandatory compliance with the Oklahoma Methamphetamine Offender Registry Act? Yes No

(Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of will subject you to mandatory compliance with the Mary Rippy Violent Crime Offenders Registry Act? [If receiving a deferred or suspended sentence, complete Form 13.18.] Yes No

~~(Check if applicable) Do you understand that the Court is required to include in the sentence of any person convicted of a felony and sentenced to a term of imprisonment after November 1, 2012, a term of post-imprisonment supervision. The post-imprisonment supervision shall be for a period of not less than nine (9) months nor more than one (1) year following confinement of the person and shall be served under conditions prescribed by the Department of Corrections. There will be no post- Yes No imprisonment supervision for a sentence of life without the possibility of parole.~~

14. Applicable to Sentencing Modernization Act Class C/D crimes, with exceptions:
Do you understand that you will be required to serve a minimum percent of the Yes No
sentence imposed before release from custody, including release to electronic
monitoring pursuant to the Sentencing Modernization Act in the following Count(s):
_____?

Applicable to 21 O.S. § 13.1 crimes:

Do you understand that you will be required to serve a minimum of 85% of the Yes No
sentence of imprisonment imposed before being eligible for parole consideration and
are not eligible for earned or other type of credits which will have the effect of
reducing the length of sentence to less than 85% of the sentence imposed in the
following Count(s):_____?

Applicable to statute specific percent requirement crimes not covered above:

Do you understand that you will be required to serve a minimum of _____ % of the Yes No
sentence of imprisonment imposed or received prior to becoming eligible for state
correctional earned credits toward completion of your sentence or eligibility for parole
in the following Count(s):_____?

15. What is/are the charge(s) to which the defendant is/are entering a plea today?

16. Do you understand the range of punishment for the crime(s) is/are: (List in same order as in No. ~~15~~ 12-A above)? (mark percentage as N/A if not applicable)

(1) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of Yes No
\$ _____

(2) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of Yes No
\$ _____

(3) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of Yes No
\$ _____

(4) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of Yes No
\$ _____

(5) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of Yes No
\$ _____

(6) Minimum of _____ to a maximum of _____ at _____ % and/or a fine of \$ _____ Yes No

17. Read the following statements: You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. (If pleading to capital murder, advise of procedure in 21 O.S. ¹ § 701.10(B)). At the trial:

(1) You have the right to have a lawyer represent you, either one you hire yourself or if you are indigent a court appointed attorney.

(2) You are presumed to be innocent of the charges.

(3) You may remain silent or, if you choose, you may testify on your own behalf.

(4) You have the right to see and hear all witnesses called to testify against you and the right to cross-examine them.

(5) You may have your witnesses ordered to appear in court to testify and present evidence of any defense you have to these charges.

(6) The state is required to prove your guilt beyond a reasonable doubt.

(7) The verdict of guilty or not guilty decided by a jury must be unanimous. However, you can waive a jury trial and, if all parties agree, the case could be tried by a Judge alone who would decide if you were guilty or not guilty and if guilty, the appropriate punishment.

Do you understand each of these rights? Yes No

18. Do you understand by entering a plea of guilty you give up these rights? Yes No

19. Do you understand that a conviction on a plea of guilty could increase punishment in any future case committed after this plea? Yes No

20. Do you understand your plea to the charge(s) may carry a risk of adverse immigration consequences if you are a non-citizen? Yes No

21. Have you talked over the charge(s) with your lawyer, advised him/her regarding any defense you may have to the charges and had his/her advice? Yes No

22. Do you believe your lawyer has effectively assisted you in this case and are you satisfied with his/her advice? Yes No

23. Do you wish to change your plea of not guilty to guilty and give up your right to a jury trial and all other previously explained constitutional rights? Yes No

24. Is there a plea agreement? Yes No

~~23.~~

What is your understanding of the plea agreement? _____

25. Do you understand the Court is not bound by any agreement or recommendation and if the Court does not accept the plea agreement, you have the right to withdraw your plea of guilty? Yes No

26. Do you understand that if there is no plea agreement the Court can sentence you within the range of punishment stated in question 16? Yes No

26. Do you understand your plea of guilty to the charge(s) is/are after: (check one) Yes No

~~() no prior felony convictions~~

~~() one (1) prior felony conviction~~

~~() two (2) or more prior felony convictions~~

List prior felony convictions to which pleading: _____

27. What (is) (are) your plea(s) to the charge(s) (and to each one of them)?

28. Did you commit the acts as charged in the Information? Yes No

State the factual basis for your plea(s) (attach additional page as needed, labeled as ADDENDUM C):

29. Have you been forced, abused, mistreated, or promised anything by anyone to have you enter your plea(s)? Yes No

30. Do you plead guilty of your own free will and without any coercion or compulsion of any kind? Yes No

~~31. If you are entering a plea to a felony offense, you have a right to a Pre-Sentence Investigation and Report which would contain the circumstances of the offense, any criminal record, social history and other background information about you. Do you want to have the Report? Yes No~~

31. (a) Do you have any additional statements to make to the Court? Yes No

~~32.~~ (b) Is there any legal reason you should not be sentenced now? Yes No

HAVING BEEN SWORN, I, the Defendant whose signature appears below, make the following statements under oath:

(1) CHECK ONE:

_____(a) I have read, understood and completed this form.

_____(b) My attorney completed this form and we have gone over the form and I understand its contents and agree with the answers. See Addendum "A"

_____(c) The Court completed this form for me and inserted my answers to the questions.

(2) The answers are true and correct.

(3) I understand that I may be prosecuted for perjury if I have made false statements to this Court.

DEFENDANT

I Acknowledge this _____ day of _____, 20_____.

Notary Public/Deputy Court Clerk/Judge

~~32.~~ I, the undersigned attorney for the Defendant, believe the Defendant understands the nature, ~~33.~~ purpose and consequence of this proceeding. (S)He is able to assist me in formulating any defense to the charge(s). I am satisfied that the Defendant's waivers and plea(s) of guilty are voluntarily given and he/she has been informed of all legal and constitutional rights.

ATTORNEY FOR DEFENDANT

~~33.~~ The sentence recommendation in question ~~23~~ 24 is correctly stated. ~~I believe the~~
~~34.~~ recommendation is fair to the State of Oklahoma.

~~34.~~ Offer of Proof (Nolo contendere plea) _____
~~35.~~

~~36.~~ On entering a plea to a felony offense, the State has a right to a pre-sentence investigation and Yes
report. The State waives the right to a pre-sentence investigation? No

ASSISTANT DISTRICT ATTORNEY

THE COURT FINDS AS FOLLOWS:

37. A. The Defendant was sworn and responded to questions under oath.
B. The Defendant understands the nature, purpose and consequences of this proceeding.
C. The Defendant's plea(s) of _____ is/are knowingly and voluntarily entered and accepted by the Court.
D. The Defendant is competent for the purpose of this hearing.
E. A factual basis exists for the plea(s) (and former conviction(s), if applicable).
F. The Defendant is guilty as charged: (check as appropriate)
 after no prior felony convictions.
 after one (1) prior felony conviction.
 after two (2) or more prior felony convictions.
Count(s) enhanced pursuant to 21 O.S. § 51.1 : _____
 after one (1) prior felony conviction
 after two (2) or more prior felony convictions
Count(s) enhanced pursuant to 21 O.S. § 20A et seq. (Sentencing Modernization Act): _____
 after one (1) or two (2) prior Class C/D felony conviction(s)
 after one (1) or more prior Class A/B/Y felony conviction or three (3) or more prior Class C/D felony convictions
Count(s) enhanced pursuant to O.S. § _____ : _____
 after _____ prior felony conviction

G. Sentencing or order deferring sentence shall be: imposed instantly (); or continued until the _____ day of _____, 20____, at _____ m.

If the Pre-Sentence Investigation and Report is requested, it shall be provided to the Court by the _____ day of _____, 20_____.

H. Defendant is committed to:

_____The RID Program

_____The FORT Program

_____The Delayed Sentencing Program for Young Adults

DONE IN OPEN COURT this _____ day of _____, 20_____.

Court Reporter Present

Deputy Court Clerk

JUDGE OF THE DISTRICT COURT

NAME OF JUDGE TYPED OR PRINTED

Part B: Sentence on Plea

Case No. _____

State v. _____

Date: _____

[NOTE ON USE: Part B to be used with the Summary of Facts if contemporaneous with the entry of plea or may be formatted as a separate sentencing form if sentencing continued to future date.]

THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:

TIME TO SERVE

1. You are sentenced to confinement ~~under~~ in the ~~supervision~~ custody of the Department of Corrections for a term of years as follows: (list in same order as in question No. 12-A in Part A)

Upon release from such confinement, you shall serve a term of post-imprisonment supervision under conditions prescribed by the ~~Department of Corrections~~ Court for a period of:

2. The sentence(s) to run:

_____ (concurrently/consecutively)

(OR)

NOT APPLICABLE

_____ Concurrently _____

_____ Consecutively _____

_____ Not Applicable

3. Defendant shall receive:

_____ ~~Credit for time served~~

_____ ~~No credit for time served~~

_____ ~~Credit for time served~~

_____ ~~No credit for time served~~

DEFERRED SENTENCE

1. The sentencing date is deferred until _____, 20____ at _____ .m.

2. You (will/will not) be supervised. The terms set forth in the Rules and Conditions of Probation found in Addendum D shall be the rules you must follow during the period of deferment.

SUSPENDED SENTENCE or SUSPENDED AS TO PART

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:

To be suspended as follows:

(a) ALL SUSPENDED YES _____ NO _____

(b) suspended **except** as to the first _____ (months)(years) of the term(s) during which time you are to be held in the custody of the Department of Corrections, the remainder of the sentence(s) to be suspended under the terms set forth in the Rules and Conditions of Probation found in Addendum D.

_____ Said period of incarceration shall be in the custody of the Department of Corrections, to be served in the County Jail, in lieu of the Department of Corrections, pursuant to the Community Service Sentencing Program, 22 O.S. Section 991a -- 4.1.

_____ Defendant's term of incarceration shall be calculated as:

_____ Calendar days with credit for good behavior only (57 O.S Section § 65)

_____ As calculated by the Sheriff with all implemented and allowable credits allowed by law

2. The sentence(s) to run:

_____ (concurrently/consecutively)

(OR)

_____ NOT APPLICABLE

_____ Concurrently _____ Consecutively _____ Not Applicable

3. Defendant shall receive:

_____ Credit for time served

_____ No credit for time served

_____ Credit for time served _____ No credit for time served

FINES AND COSTS

You are to pay a fine(s), costs, fees and/or restitution to the _____ County District Court Clerk as set out in Addendum E which is attached and made a part of this Order.

[NOTE ON USE: District Courts may develop and utilize schedules for payment of fines and costs as appropriate for each district and attach as Addendum E.]

COURT CLERK'S DUTY

[trial judge to complete this section]

IT IS FURTHER ORDERED that the Clerk of this Court shall register or report the following circumstances in accordance with the applicable statutory authority:

() As to Count(s) _____, the defendant is ineligible to register to vote and the Clerk of this Court shall submit a report pursuant to Section 4-101 4-120 of Title 26.

() As to Count(s) _____, Pursuant to Section 985.1 of Title 22, the Court departed from the mandatory minimum sentence of imprisonment as to Count(s) _____ and the Clerk of this Court shall submit a report pursuant to Section 985.2 of Title 22.

() As to Count(s) _____, the defendant is subject to the Methamphetamine Offender Registry requirements and the Clerk of this Court shall forward registration information as set forth in Section 2-701 of Title 63.

(.) As to Count(s) _____, the defendant is subject to the Sex Offender Registry requirements and the Clerk of this Court shall forward registration information as set forth in Section 582.2 of Title 57.

(.) As to Count(s) _____, the defendant is subject to the Mary Rippy Violent Crime Offenders Act and the Clerk of this Court shall forward registration information, including Form 13.18 if applicable, as set forth in Section 597 of Title 57.

() Defendant is a lawyer and certified copies of this document shall be transmitted to the Chief Justice of the Supreme Court and the General Counsel of the Bar Association within five (5) days as set forth in ~~Rule~~ Section 7.2 of the Oklahoma Rules of Professional Conduct Governing Disciplinary Proceedings, 5 O.S.Supp.2014,-ch. 1, app. 1-A.

"NOTICE OF RIGHT TO APPEAL"

Sentence to Incarceration, Suspended or Deferred:

To appeal from this conviction, or order deferring sentence, on your plea of guilty, you must file in the District Court Clerk's Office a written Application to Withdraw your Plea of Guilty within ten (10) days from today's date. You must set forth in detail why you are requesting to withdraw your plea. The trial court must hold a hearing and rule upon your Application within thirty (30) days from the date it is filed. If the trial court denies your Application, you have the right to

ask the Court of Criminal Appeals to review the District Court's denial by filing a Petition for Writ of Certiorari within ninety (90) days from the date of the denial. Within ten (10) days from the date the application to withdraw plea of guilty is denied, notice of intent to appeal and designation of record must be filed pursuant to Oklahoma Court of Criminal Appeals Rule 4.2(D). If you are indigent, you have the right to be represented on appeal by a court appointed attorney.

Do you understand each of these rights to appeal? Yes
No
Do you want to remain in the county jail ten (10) days before being taken to the place of confinement? Yes
No
Have you fully understood the questions that have been asked? Yes
No
Have your answers been freely and voluntarily given? Yes
No

I ACKNOWLEDGE UNDERSTANDING OF RIGHTS AND SENTENCE IMPOSED.

DEFENDANT

I, the undersigned attorney, have advised the Defendant of his appellate rights.

ATTORNEY FOR DEFENDANT

Done in open court, with all parties present, this _____ day of _____, -20_____.

Court Reporter Present

JUDGE OF THE DISTRICT COURT

Deputy Court Clerk

NAME OF JUDGE TYPED OR PRINTED

ADDENDUM "A"

CERTIFICATE OF DEFENSE COUNSEL

As the attorney for the defendant, _____, I certify that:

1. The Defendant has stated to me that he/she is (able/unable) to read and understand the attached form, and I have: (check appropriate option)

_____ Determined the Defendant is able to understand the English language.

_____ Determined the Defendant is unable to understand the English language and obtained _____ to interpret.

2. I have read and fully explained to the Defendant the allegations contained in the Information in this case.

3. I have read and fully explained to the Defendant all of the questions in the Plea of Guilty/Summary of Facts and the answers to the questions set out in the Summary of Facts are the Defendant's answers.

4. To the best of my knowledge and belief the statements and declaration made by the Defendant are accurate and true and have been freely and voluntarily made.

Dated this _____ day of _____, 20_____.

ATTORNEY FOR DEFENDANT

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
 Plaintiff,)
 v.) Case No. _____
 _____,)
 Defendant.)

**NOTICE OF REGISTRATION REQUIREMENT UNDER
THE MARY RIPPY VIOLENT CRIME OFFENDERS REGISTRATION ACT**

You must register as a violent offender and comply with this Act. Persons subject to the Act must register:

1. With the Department of Corrections within three (3) days after being convicted or receiving a deferred or suspended sentence (if the person is NOT incarcerated) OR within three (3) days after release from a correctional institution; AND
2. With the local law enforcement where the person resides or intends to reside within three (3) days after entering that jurisdiction; AND
3. With BOTH the Department of Corrections AND local law enforcement no less than three (3) days prior to moving or leaving a previously registered address.

Important: A failure to comply with the requirements of the Mary Rippy Violent Crime Offenders Registration Act can result in additional felony charges being filed against you.

Defendant's full name (Last, First, Middle)		Gender ()Female ()Male
Residence Address Upon Discharge or Release		City, State, Zip Code
Sentenced to Custody of DOC? ()Yes ()No	Year of Birth	Last Four Digits of Social Security #

Defendant

(Assistant) District Attorney

Attorney for Defendant

DONE IN OPEN COURT this _____ day of _____, 20_____.

Judge of the District Court

To Court Clerk: A copy of this completed form is to be provided to the Mary Rippy Violent Crime Offenders Registration Unit of the DOC, pursuant to 57 O.S. §597.

Citationizer® Summary of Documents Citing This Document

Cite Name Level

None Found.

Citationizer: Table of Authority

Cite Name Level

Title 21. Crimes and Punishments

Cite

Name

Level

Cite Name**Level**21 O.S. 13.1,Required Service of Minimum Percentage of Sentence - Offenses Specified

Cited

21 O.S. 51.1,Punishment for Second and Subsequent Offenses after Conviction of Offense Punishable by Imprisonment in State Penitentiary

Discussed at Length

21 O.S. 20A,Short Title - Felony Classification System

Discussed at Length

Title 57. Prisons and Reformatories

Cite

Name

Level

57 O.S. 59Z,Notice to Person Subject to Act Upon Release - Promulgation of Rules - Coordination With Other States

Cited