



-vs-

[Redacted Defendant Name]

Defendant

NO. DU [Redacted]

**PLEA AND DISPOSITION AGREEMENT**

The State of New Mexico, County of Bernalillo, City of Albuquerque, and the defendant hereby agree to the following disposition of this case:

Plea: The defendant agrees to plead (guilty) (no contest) to the following offenses:

Battery on a Household Member

FILED IN THIS OFFICE  
TIME September 20 2001

Terms: On the following understandings, terms and conditions:

1. That the following disposition will be made of the charges: By Jan SEP 12 2001  
CLERK-METROPOLITAN COURT
2. That the following charges will be dismissed, or if not yet filed, shall not be brought against the defendant:  
Balance of Charges
3. That this agreement, unless rejected or withdrawn, serves to amend the complaint, to charge the offense to which the defendant pleads, without the filing of any additional pleading. If the plea is rejected or withdrawn, the original charges are automatically reinstated.
4. Unless this plea is rejected or withdrawn, that the defendant hereby gives up any and all motions, defenses, objections or requests which the defendant has made or raised, or could assert hereafter, to the court's entry of judgment and imposition of a sentence consistent with this agreement.
5. That, if after reviewing this agreement and any presentence report the court concludes that any of its provisions are unacceptable, the court will allow the withdrawal of the plea, and this agreement shall be null and void. If the plea is withdrawn, neither the plea nor any statements arising out of the plea proceedings shall be admissible as evidence against the defendant in any criminal proceedings.

**CONDITIONAL PLEA:**

I understand that the plea of guilty that I have entered is conditioned upon my appeal. If I file an appeal on the issue of \_\_\_\_\_ and I win my appeal on this issue I may withdraw my plea.  
(describe pre-trial motion upon which appeal will be based)

I understand that a conviction may have an effect upon my immigration or naturalization status.

I have read and understand the above. I have discussed the case and my constitutional rights with my lawyer. I understand that by pleading (guilty) (no contest) I will be giving up my right to a trial by jury, to confront, cross-examine, and compel the attendance of witnesses, and my privilege against self-incrimination. I agree to enter my plea as indicated above on the terms and conditions set forth herein. I fully understand that if, as part of this agreement, I am granted probation, a suspended sentence or a deferred sentence by the court, the terms and conditions thereof are subject to modification in the event that I violate any of the terms or conditions imposed.

[Redacted Defendant Signature]

DEFENDANT

9-12-01  
DATE

I have discussed this case with my client in detail and I have advised my client of my client's constitutional rights and all possible defenses. I believe that the plea and disposition set forth herein are appropriate under the facts of this case. I concur in the entry of the plea as indicated above and on the terms and conditions set forth herein.

[Redacted Defense Counsel Signature]

DEFENSE COUNSEL

9-12-01  
DATE

I have reviewed this matter and concur that the plea and disposition set forth herein are appropriate and are in the interests of justice.

[Redacted Prosecutor Signature]

PROSECUTOR

[Redacted Judge Signature]

DATE

APPROVED

[Redacted Judge Signature]

METROPOLITAN OR DISTRICT JUDGE