**IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION**

**OKMULGEE DISTRICT**

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| **MUSCOGEE (CREEK) NATION,**  **Plaintiff,** **vs.****:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **Defendant,****ADDRESS:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****PHONE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **)****)****)****)****)****)****)****)****)** | **Case No.:** | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**PLEA OF GUILTY: SUMMARY OF FACTS**

|  |  |
| --- | --- |
| 1. Is the name just read to you your correct name?

If no, what is your correct name? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | YES NO |
| 1. Are you Native American?

If yes, what tribe? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | YES NO |
| 1. How old are you? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 |  |
| 1. Are you represented by counsel?

If yes, who is your lawyer? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | YES NO |
| 1. Do you know you are charged with the following?
 |  |
| Count 1:  |       | YES NO |
| Statutory Basis |
|  Count 2:  |       |
| Statutory Basis |
| Count 3:  |       |
| Statutory Basis |
| Count 4:  |       |
| Statutory Basis |
| 1. Do you know the punishment provided for the crime(s) charges is as follows?

Count 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 3: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 4: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | YES NO |
| 1. Do you understand that on a plea of guilty/no contest you may be sentenced to a fine or a term of imprisonment within those limits?
 | YES NO |
| 1. Were you advised of the following rights?
2. The purpose of the arraignment.
3. The right against self-incrimination (right to remain silent).
4. The right to a trial by Jury or Judge.
5. The right to consult with an attorney and to privately obtain

counsel for representation in this matter.1. The right to court-appointed counsel upon a finding of indigency.
 | YES NO |
| 1. Do you and your lawyer have a copy of the charge(s)?

Have you discussed the charges and do you understand your rights?Do you believe your lawyer has served you well? | YES NOYES NOYES NO |
| 1. You stand now on a plea of not guilty. In the event you should change your plea to guilty/no contest, do you understand that the Trial Court is not bound by any recommendation made by the prosecuting attorney, or any agreement entered by your attorney and the prosecuting attorney?
 | YES NO |
| 1. Do you understand the rights which I have explained to you?
 | YES NO |
| 1. Do you have any questions concerning these rights or this proceeding?
 | YES NO |
| 1. Do you wish to enter your plea(s) now and be sentenced?
 | YES NO |
| 1. What is your plea(s) to the charge(s) as listed on page 1?

Count 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 3: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 4: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| 1. Do you plead guilty/no contest of your own free will, without any coercion or compulsion of any kind, and only because you are guilty of the act(s) charged?
 | YES NO |
| 1. I am not now under the influence of any narcotics, drugs, alcohol, or any other substance affecting my ability to reason, think clearly, or make informed decision regarding my plea.
 | YES NO |
| 1. Have you been abused, mistreated, or threatened by anyone, official or private person, to have your plea of guilty entered?
 | YES NO |
| 1. State in your own words what you did:
 |  |
|  |  |
|  |  |
| 1. Prosecutor’s Offer of Proof (No Contest Plea(s) only):
 |  |
|  |  |
|  |  |  |
| 1. Prosecutor’s Recommendation for sentence:

Count 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 3: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Count 4: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |

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| **IT IS THE ORDER OF THE COURT THAT YOU BE SENTENCED AS FOLLOWS:** |
| Count 1: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Count 2: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Count 3: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Count 4: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **AND:** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 1. You shall not violate any tribal, city, state, or federal laws.
 |
| 1. You cannot become intoxicated from liquor, beer, or drugs and shall not use or

traffic in illicit or illegal drugs. |
| 1. You shall abide by the following special conditions of probation:
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|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Do you understand that if you want to appeal this judgement and sentence you must file a written notice of appeal within ten (10) days of this date with the clerk of the Muscogee (Creek) Nation located at Hwy. 75 & loop 56 (Mound Building), Okmulgee, OK 74447?Do you understand if you are without money to hire an attorney for appeal and you still want to appeal, you mush file a written application with this Court for a court-appointed attorney, and on a proper showing of indigency an attorney will be appointed for you, and a transcript of a proceeding in the case will be provided to you at the expense of the Muscogee (Creek) Nation and at no expense to you? | YES NOYES NO |
| I understand all my rights including right to counsel and have knowingly, voluntarily, and freely waived those rights. | YES NO |
| **ORDERED on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.** |
| DEFENDANT |  | JUDGE OF THE DISTRICT COURT |
| ATTORNEY FOR THE DEFENDANT |  | PROSECUTOR |

**IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION**

**OKMULGEE DISTRICT**

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| **MUSCOGEE (CREEK) NATION,**  **Plaintiff,** **vs.****: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **Defendant,****ADDRESS:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****PHONE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **DOB: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **)****)****)****)****)****)****)****)****)** | **Case No.:** | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**RULES AND CONDITIONS OF PROBATION**

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| \_\_\_\_\_ | No Probation Ordered / Unsupervised Probation for a period of  |
| I, the undersigned Probationer/Defendant, agree to abide by the following Rules and Conditions of Probation: |
| \_\_\_\_ 1. | I will not use or be in possession of intoxicants or illicit drugs of any kind, or visit places where illicit drugs are unlawfully sold, dispensed, or used. I understand that I am not to enter or loiter around beer taverns, clubs, or any establishment wherein alcoholic beverages are sold and/or served. I further understand that I may be subjected to random drug and alcohol tests administered by the Probation officer. |
| \_\_\_\_ 2. | I will report to my probation officer on the \_\_\_ day of each month at 9:00 a.m. |
| \_\_\_\_ 3. | I will not, in any way, communicate with any person on parole, ex-convicts, or inmates of any penal institution, nor will I associate with persons having a criminal record or involved in criminal activity. I understand that it is my responsibility to find out and to know whether a person I associate or communicate with has any criminal record. |
| \_\_\_\_ 4. | I understand that it will be a violation of my probation to own, carry, or possess firearms or ammunition of any type or be in a vehicle or home where firearms are located. |
| \_\_\_\_ 5. | I will work regularly at a lawful corporation and support my legal dependents so long as I am physically able to do so. |
| \_\_\_\_ 6. | I will refrain from violating any tribal, city, state, or federal law. |
| \_\_\_\_ 7. | I do hereby waive any and all objections I have to extradition to the Muscogee (Creek) Nation from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the Muscogee (Creek) Nation. |
| \_\_\_\_ 8. | I understand and agree that the continuance of my probation depends entirely on my conduct. I understand that should I violate the foregoing Rules and Conditions of my probation, that the Court will revoke my suspended sentence and probation and that I may be required to serve imprisonment of the sentence imposed by the Court. |
| \_\_\_\_ 9. | I hereby certify that I have carefully read or have been read and explained the above Rules and Conditions and fully understand what my obligations are while under supervision. I further acknowledge receipt of a copy of these Rules and Conditions which I agree to review from time to time so that I will remain fully informed of my obligations while on supervised probation. |
| Probation Expires on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_. |
| DEFENDANT |  | JUDGE OF THE DISTRICT COURT |
| ATTORNEY FOR THE DEFENDANT |  | PROSECUTOR |

**SCHEDULE OF REIMBURSEMENT**

NOTICE: THE DEFENDANT IS ORDERED TO MAKE THE BELOW PAYMENTS IN PERSON, BY MAIL, OR ELECTRONICALLY AT CITEPAYUSA.COM, ON OR BEFORE THE DATE PAYMENT IS DUE. IF THE DEFENDANT IS UNABLE TO MAKE A PAYMENT ON THE DUE DATE, THE DEFENDANT IS REQUIRED TO APPEAR IN THE OFFICE OF THE COURT CLERK AT 9:00 A.M. TO EXPLAIN THE REASON FOR NON-PAYMENT. PROBATION MAY BE REVOKED FOR LATE OR NON-PAYMENT OF FINES AND COSTS.

The above defendant is ordered to repay the Court Fund of the Muscogee (Creek) Nation the following dollar amounts representing fines, costs and assessments resulting from Defendant’s conviction. Monies collected shall be applied to the balance due. All fines, costs and assessments are due and owing from the date of sentencing and must be paid in full in accordance with the rules and conditions of probation or within one (1) year after Defendant’s release from incarceration, or the Defendant must reappear in this Court for further proceedings. Costs, such as appellate proceedings and transportation costs, may continue to accrue after journal entry. Additional costs may be certified by the Court Clerk as they accrue.

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|  |  | COUNT 1 | COUNT 2 | COUNT 3 | COUNT 4 |
| 1. | Court Costs |  |  |  |  |
| 2. | Fines |  |  |  |  |
| 3. | Restitution |  |  |  |  |
| 4. | Probation Fee |  |  |  |  |
| 5. | M(C)N Lighthorse Police |  |  |  |  |
| 6. | Other Law Enforcement |  |  |  |  |
| 7. | Drug Testing |  |  |  |  |
| 8. | Pre-Sentence Investigation |  |  |  |  |
| 9. | Incarceration Fee |  |  |  |  |
| 10. | Other |  |  |  |  |
|  | **TOTAL:** |  |

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| --- | --- |
|  | JUDGE OF THE DISTRICT COURT |
|  |