

本表格必须以英文填写。如果有必要，您应该取得帮助以用英文完成本表格。

<b>WAIVER OF DEFENDANT'S RIGHTS</b> <b>放弃被告权利声明</b>	DOCKET NUMBER 案卷编号	<b>Trial Court of Massachusetts</b> <b>The Superior Court</b> <b>马萨诸塞州审理法院</b> <b>高等法院</b> 
CASE NAME/案件名称:  VS./ 诉		Clerk of Courts/法庭书记员  County/县
		COURT NAME & ADDRESS 法庭名称和地址

I have discussed the above case(s) with my attorney. I understand that by entering a plea of guilty, I will be giving up the following constitutional and statutory rights: to a trial by a jury or to a trial before a judge; to confront and cross-examine witnesses; to call my own witnesses and present evidence in my defense; to remain silent and assert my privilege against self-incrimination; to be presumed innocent until proven guilty beyond a reasonable doubt; and to pursue any motions in my case and to appeal any rulings already made by the Court on any motions to dismiss or suppress.

本人已经与本人的律师讨论上述案件。本人理解，本人认罪即表示本人放弃下列宪定及法定权利：由陪审团审理或由法官审理；质证和交叉询问证人；传召本人的证人出庭以及出示为本人辩护的证据；保持沉默和援引本人拒绝自证有罪的权利；在排除合理怀疑的前提下证明有罪之前，被推定无罪；以及在本人的案件中提出任何动议以及对本法庭就任何撤案或证据排除动议作出的任何裁决提出上诉。

I have been advised by my attorney of the nature and elements of the charge(s) to which I am entering my guilty plea, and of the nature and range of the possible sentence(s) on the charge(s), including the maximum possible sentence(s), any mandatory minimum sentence(s) that might be applicable, the consequences if probation is imposed and conditions are violated, and any different or additional punishment for subsequent offenses.

本人的律师已向本人告知本人认罪之控罪的性质和构成要素，以及对这些控罪可能作出之量刑的性质和范围，其中包括可能的量刑上限、任何可能适用的法定量刑下限、被判保释后违反保释规定会有什么后果以及对以后罪行的任何不同或附加惩罚。

**[CHECK IF APPLICABLE]** I have been advised of the habitual offender law and of the consequences of pleading guilty to the present charges.

**[如适用，则勾选方框]** 本人已被告知习惯性违法者法律和对当前控罪认罪的后果。

**[CHECK IF APPLICABLE]** I have been advised that by pleading guilty to the present charges, I may be subject to adjudication as a sexually dangerous person and required to register as a sex offender.

**[如适用，则勾选方框]** 本人已被告知，本人对当前控罪认罪，则本人可能会被裁定属于性危险者而必须进行性侵犯登记。

I have been advised of the recommendation on sentencing to be made by the Prosecution.

本人已被告知公诉方的量刑建议。

My guilty plea is not the result of force, threats, assurance or promises. I have decided to plead guilty voluntarily, willingly, and freely, rather than at the direction of or because of the recommendation of any other person.

本人认罪，并非是因为受到强迫或威胁、获得保证或承诺。本人认罪，系自愿、情愿和自由的决定，并非是按任何其他人的指示或建议而为之。

I am satisfied that my defense attorney has represented me in an effective and competent manner. I have had enough time to speak with him/her regarding any possible defenses I may have to the above charges, and he/she has explained the consequences of my pleading guilty, and the waiver of any constitutional or statutory rights.

本人的辩护律师为本人提供了有效称职的代理服务，本人对此是满意的。本人已获得足够的时间用于与本人的辩护律师讨论本人可能针对上述控罪进行的任何辩护，并且本人的辩护律师已向本人说明认罪以及放弃任何宪定或法律权利的后果。

I am not now on, or under the influence of, any drug, medication, liquor or other intoxicant or depressant that would impair my ability to fully understand the constitutional and statutory rights that I am waiving when I plead guilty.

本人现在既未使用任何药物、药品、酒或其他会影响本人充分理解本人认罪时所放弃宪定及法定权利之能力的麻醉剂或镇静剂，也未处于其影响之下。

I understand that if I am not a citizen of the United States, a conviction in the above case(s) may result in my deportation, exclusion from admission to the United States, or denial of naturalization, and that if the offense is under federal law one that presumptively mandates removal from the United States and federal officials decide to seek removal, it is practically inevitable that this conviction will result in deportation, exclusion from admission, or denial of naturalization under the laws of the United States.

本人理解，如果本人不是美国公民，则在上述案件中被定罪可能会导致本人被驱逐出境、被禁止进入美国或被拒绝归化入籍，并且如果依照联邦法律，根据被定罪的罪行，依法应将本人从美国驱逐出境并且联邦官员决定寻求将本人驱逐出境，则依照美国法律，因该等定罪而导致被遣送出境、禁止进入美国或被拒绝归化入籍实际上是无法避免的。

Date \_\_\_\_\_ Print Name of Defendant \_\_\_\_\_  
日期 \_\_\_\_\_ 工整填写被告姓名 \_\_\_\_\_

Signature of Defendant \_\_\_\_\_  
被告签名 \_\_\_\_\_

**DEFENSE ATTORNEY'S APPROVAL**

被告律师声明

I have discussed the facts in this case and the plea recommendation with my client in detail, and I have advised the Defendant of all matters within the scope of Massachusetts Rules of Criminal Procedure Rule 12 that are pertinent to the Defendant's plea, including informing the defendant of his/her constitutional and statutory rights, the factual basis for and the nature and elements of the offense(s) to which the guilty plea will be tendered, possible defenses, and the consequences of the guilty plea.

本人已与本人的委托人详细讨论本案中的事实和认罪建议，并且本人已向被告告知《马萨诸塞州刑事诉讼程序规则》第 12 条范围内与被告认罪有关的所有规定，其中包括向被告说明其宪法及法定权利、拟认罪之罪行的事实依据、性质和构成要素、可能的辩护策略以及认罪的后果。

After explaining the above to the Defendant, I am satisfied that the Defendant has understood my explanation and the consequences of his/her guilty plea. Moreover, I am satisfied that the Defendant is not under the influence of any drug, medication, liquor, or other intoxicant that can impair the Defendant's ability to fully understand all the constitutional, statutory and/or other rights that the Defendant would waive by tendering a plea of guilty to the above indictment(s).

本人向被告说明上列情况后，认为被告已理解本人的说明以及其认罪的后果。另外，本人还认为，被告充分理解其因招认上述指控而放弃之所有宪法权利、法定权利及其他权利的能力，并未因目前处于任何药物、药品、酒或其他麻醉剂的影响之下而受到妨碍。

I represent to the Court that the Defendant has signed this document in my presence freely, willingly, and voluntarily.

本人向法院保证，在本人在场的情况下，被告自由、情愿和自愿地签署本文件。

Date \_\_\_\_\_ Attorney for Defendant \_\_\_\_\_  
BBO Number \_\_\_\_\_

日期 \_\_\_\_\_ 被告律师 \_\_\_\_\_  
BBO 编号 \_\_\_\_\_