COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE
PRIOR PLEA OF NOT GUILTY FORM

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PLEASE READ THIS FORM CAREFULLY AND FOLLOW ALL INSTRUCTIONS. IF YOU HAVE QUESTIONS ABOUT THIS FORM, PLEASE CALL THE RESPECTIVE COURT OF COMMON PLEAS CLERK'S OFFICE

You must fully complete this form and mail it to the Court of Common Pleas in the county in which your case is pend

The purpose of this form is to provide a convenient way of entering a NOT GUILTY plea to the charge(s) in the Court of Common Pleas without having to appear for Arraignment (the first appearance in the Court of Common Pleas) as provided for by Court of Common Pleas Rule 10 (c). If you wish to enter a NOT GUILTY plea without appearing in Court for Arraignment, please read and complete the following:

1. You must fully complete this form and mail it to the Court of Common Pleas at the respective courthouse address set forth below. **The Court must receive this form at least 10 days prior to your scheduled arraignment date.**

☐ **New Castle County**
500 N. King St., Ste 1600
Wilmington, DE 19801-3604
Phone: (302) 255-0941
Fax: (302) 255-2243
CCP_NC_PriorPlea@state.de.us

☐ **Kent County**
414 Federal St., Rm 135
Dover, DE19901-3615
Phone: (302) 735-3900
Fax: (302) 735-3911
CCP_KC_PriorPlea@state.de.us

☐ **Sussex County**
1 The Circle, Ste 1
Georgetown, DE 19947-1504
Phone: (302)858-5700
Fax: (302) 858-5701
CCP_SC_PriorPlea@state.de.us

2. Provide the following information (*PLEASE PRINT*):

Case Number (10 digits) _____ Name _____ Arraignment Date _____

Street Address _____ City _____ State _____ Zip _____

Email Address _____ Telephone Number _____

3. I understand and acknowledge that I can represent myself at Trial or I can choose to be represented by a lawyer, and (*CHECK ONE*):

☐ I intend to be represented by a lawyer at Trial. **If you check this box, this form will not be accepted unless it is signed by your lawyer. IF YOU PLAN TO BE REPRESENTED BY THE PUBLIC DEFENDER'S OFFICE, YOU MUST CONTACT THEM IMMEDIATELY AT**:

New Castle County	Kent County	Sussex County
(302) 255-0130	(302) 739-4476	(302) 856-5310

☐ I plan to represent myself at Trial.

4. I enter a plea of **NOT GUILTY** to the charge(s) and request *(CHECK ONE)*:

☐ **Non-Jury Trial** (before a Judge). I understand my right to a Jury Trial, including the right to Counsel and the right to participate in the selection of the jury, and hereby knowingly, intelligently and voluntarily waive the right to a Trial by Jury and request a Trial before a Judge.

☐ **Jury Trial** (before a jury).

5. I understand and acknowledge the following:

a) I, and my attorney (if applicable), have read the information and I understand the nature of the accusations and charges against me;

b) I waive (give up) my right to appear in the Court of Common Pleas for Arraignment, the reading of the charge(s) against me, and a formal inquiry in open Court as to whether I understand the nature of the charge(s);

c) At Trial, I have the right to introduce evidence and have witness(es) testify on my behalf; I am responsible for having my witness(es) and evidence with me on the day of Trial. If I want the Court to send notice(s) to my witness(es), I must notify the Clerk's Office in writing **at least 20 working days before Trial**. If I believe the witness(es) may not appear in response to the Court's notice, I can ask the Court in writing to issue a subpoena (a fee is charged) to compel (force) their appearance. I can also request that the Court issue a subpoena for documents or other evidence I may need for my defense. Requests for all subpoenas must be made in writing to the Clerk's Office **at least 20 calendar days before the Trial date;**

d) Until a lawyer enters appearance on my behalf, I consent to the Attorney General contacting me for purposes of plea negotiations.

DEFENDANT'S SIGNATURE _____ DATE _____ LAWYER'S SIGNATURE _____ DE BAR # _____