

**IN THE DESOTO COUNTY COURT, IN AND FOR THE TWELFTH JUDICIAL
CIRCUIT, STATE OF FLORIDA**

STATE OF FLORIDA

Plaintiff,

CASE NO.:

vs.

CITATION NO.:

Defendant.

DL NO.:

**AFFIDAVIT OF DEFENSE OR
ADMISSION AND WAIVER OF APPEARANCE**

Before me personally appeared _____, the Defendant in this cause, who after first being placed under oath, swears, or affirms as follows:

1. My name, address, and telephone number are:

Name: _____

Address: _____

Telephone No.: _____

2. I am the defendant in the above-referenced case and am charged with the following violation(s): (List the charges as you understand them to be.) _____

[Note: This is not an admission that you violated any law.]

3. Place your initials on **only one** as your plea:

_____ **I hereby plead NOT GUILTY** and file this affidavit of defense as my sworn statement herein. I understand that when I plead not guilty, I do not have to supply any further statement. I understand that by my filing this affidavit, I am waiving my appearance, and the judge will have to make a decision as to whether I committed the alleged violation by the sworn testimony of the witnesses, other evidence, and my statement. ***I understand that I am waiving my appearance at the final hearing of this matter.***

_____ **I hereby plead GUILTY** and file this affidavit as an explanation of what

happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine the appropriate sentence and decide whether to adjudicate me guilty.

_____ **I hereby plead NO CONTEST** and file this affidavit as an explanation of what happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. By pleading no contest, I understand that I am not admitting or denying that the infraction was committed but do not contest the charges, and I understand that I may be sentenced and found guilty even though I entered a plea of no contest. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine any appropriate sentence and decide whether to adjudicate me guilty.

4. Defendant's Statement: (additional papers, documents, photos, etc. can be attached but should be mentioned herein).

I understand that any material misrepresentation could cause me to be prosecuted for a separate criminal law violation.

Affiant/Defendant

5. If the Court rejects my AFFIDAVIT OF DEFENSE OR ADMISSION AND WAIVER OF APPEARANCE, I wish to (check one):

_____ Pay the civil penalty within 30 days from the date of the Court's ruling.

_____ Pay the school civil penalty within 30 days of the Court's ruling and complete defensive driving school within 60 days of the Court's ruling. I certify that I am eligible to elect to attend the defensive driving school; or

_____ Request a court date.

STATE OF FLORIDA COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online
notarization, this ____ day of _____, 20____, by _____.

(Signature of Notary Public – State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced _____

(Seal)

NOTE: It is your responsibility to make sure this affidavit is in the court file before the hearing date. If Affiant/Defendant is under the age of 18, a parent or guardian must sign this affidavit:

Parent or Guardian

NOTICE

**You must send the completed document via electronic mail to the CLERK OF THE
CIRCUIT COURT-TRAFFIC DIVISION at traffic@desotoclerk.com.**

Desoto County Clerk of Court- Traffic Division
115 East Oak Street Arcadia,
FL 34266

IMPORTANT: DO NOT SEND THIS DOCUMENT TO THE JUDGE'S OFFICE.