**In the Iowa District Court for Polk County**

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| **State of Iowa,***Plaintiff*,v.**,***Defendant*. | **Criminal No:** **Order (Plea to PSI Order)**[ ] Defendant in custody. |

**Now On**      , the State is represented by . Defendant appears [ ] in person [ ] through counsel. The defendant is represented by , on the charge(s) of:

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| **Case Number** | **Count** | **Crime** | **In violation of Iowa Code Section(s):** |
|       |       |       |       |
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[ ] Defendant also appears with an Interpreter,      .

**ALL PARAGRAPHS CHECKED BELOW APPLY:**

[x] Defendant has filed a **WRITTEN PETITION TO PLEAD GUILTY** to the crime(s) set out above. By review of the petition, the court finds that defendant understands the charge(s), the penal consequences, and the rights being waived. Based upon the parties’ and attorneys’ statements and the minutes of testimony as applicable, the court finds that there is a factual basis for the plea and that the plea is knowing and voluntary. **Defendant’s guilty plea is accepted.**

[ ] Defendant **PLEADS GUILTY** to the crime(s) set out above. By direct conversation with the defendant on the record, the court finds that defendant understands the charge(s), the penal consequences, and the rights being waived. Based upon defendant’s statements, the prosecutor’s statements and the minutes of testimony as applicable, the court finds that there is a factual basis for the plea and that the plea is knowing and voluntary. **Defendant’s guilty plea is accepted.**

[ ]  **ALFORD PLEA**. Defendant enters a plea to the crime(s) set out above pursuant to North Carolina v. Alford, 400 U.S. 25 (1970) and State v. Knight, 701 N.W.2d 83 (Iowa 2005). By direct conversation with the defendant on the record, the court finds that defendant understands the charge(s), the penal consequences, and the rights being waived. The court finds that there is a factual basis for the plea and that the plea is knowing and voluntary. The Court further finds that the defendant has acknowledged: 1) that it is in defendant’s best interest to enter this plea, 2) that defendant has nothing to gain at trial and will gain much more by pleading, 3) that there is strong evidence of actual guilt, and 4) that defendant wishes to take advantage of the State’s plea offer. **Defendant’s plea is accepted**.

[x]  **PRE-SENTENCE INVESTIGATION (PSI) REPORT**. Except where the defendant is in custody, ***defendant is ordered to call the Department of Correctional Services (DCS), at 242-6602*** within two work days to schedule a presentence investigation (PSI) interview. If the defendant is in custody, he/she shall be retained by the Polk County Sheriff until the Fifth Judicial Department of Correctional Services has completed the PSI interview. DCS shall submit a PSI report by       (at least three days before sentencing).

[x]  **SENTENCING IS SET FOR**  at  in Courtroom , Polk County Criminal Court Building. ***Defendant is ordered to appear in person for sentencing.***

[ ]  **VICTIM OFFENDER DIALOG (VOD)**.Defendant is ordered to participate in and cooperate with a VOD session to allow the victim to inform Defendant of the consequences of the crime, to determine the amount of victim pecuniary damages (VPD) owed, and to establish a payment schedule. If VPD cannot be resolved in the VOD session, the County Attorney is ordered to file a statement of VPD and Defendant shall have 30 days from the date of the filing to contest the amount of damages claimed. Defendant shall call 286-3057 within three (3) working days to arrange this VOD session. (Session required only if victim wishes to participate). Any No-Contact Order currently in effect shall be temporarily suspended for the VOD session. No-Contact Order shall be in full force and effect upon conclusion of VOD session.

[x]  **BOND** is continued pending sentencing, or      .

[ ]  **BOND** is unavailable pending sentencing pursuant to Iowa Code Section 811.1(1).

[x] Barring any new criminal activity or violation of this order, at sentencing the parties will recommend: . The State will recommend dismissal of . On any new criminal charge or violation of this order, established by a preponderance of evidence, the State is not bound by this agreement.

[x] Defendant is hereby notified that the Court will decide the defendant’s reasonable ability to pay restitution of court appointed attorney fees at sentencing.

[x] Defendant has a right to contest the guilty plea. To contest the guilty plea, Defendant must file a Motion in Arrest of Judgment. This motion must be filed within 45 days after the guilty plea but no later than 5 days before sentencing (whichever occurs first). If Defendant fails to timely file the Motion in Arrest of Judgment, Defendant forever gives up the right to challenge the plea or to attack the plea on direct appeal to the Iowa Supreme Court.

**SO ORDERED**.

[x] The Defendant was personally served with a copy of this order.

[ ]       was personally served with a copy of this order.

[x] In addition to all other persons entitled to a copy of this order, the clerk shall provide a copy to the following: Felony Criminal Case Coordinator