

**FILED**

June 23, 2023

**OFFICE OF  
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8049

**ORDER REGARDING AMENDMENT  
TO MINNESOTA RULES OF CRIMINAL PROCEDURE  
APPENDIX TO RULE 15 – APPENDIX B**

As of May 20, 2023, the sentence for a gross misdemeanor in Minnesota is now imprisonment for not more than 364 days, and the sentence for a felony is imprisonment for one year/365 days or more. *See* Act of May 19, 2023, ch. 52, art 6, §§ 4–6. As a result of this change, form Appendix B to Rule 15 of the Minnesota Rules of Criminal Procedure requires amending. That form concerns a misdemeanor/gross misdemeanor petition to enter a plea of guilty and states that the maximum possible sentence for any gross misdemeanor offense is 1 year imprisonment, but the maximum possible sentence for a gross misdemeanor is now 364 days.

IT IS HEREBY ORDERED that the amendment to form Appendix B to Rule 15 of the Minnesota Rules of Criminal Procedure is prescribed and promulgated to be effective immediately. The amendment to the form as approved is attached to this order.

Dated: June 23, 2023

BY THE COURT:



Anne K. McKeig  
Associate Justice

MINNESOTA RULES OF CRIMINAL PROCEDURE APPENDIX OF FORMS

Appendix to Rule 15

Appendix B (Misdemeanor/Gross Misdemeanor Petition to Enter Plea of Guilty)

[Note: In this form, deletions are indicated by a line drawn through the words and additions are indicated by a line drawn under the words.]

APPENDIX B TO MINN. R. CRIM. P. 15

State of Minnesota

District Court

County

Judicial District:
Court File Number:
Case Type: Criminal

State of Minnesota,
Plaintiff

vs.

Petition To Enter Plea Of Guilty
In Misdemeanor Or Gross
Misdemeanor Case Pursuant To
Rule 15

Defendant

TO THE ABOVE NAMED COURT:

I wish to enter a plea of guilty in the above-entitled case, and I hereby state to the Court the following:

1. I am the Defendant in this case, my full name is, and my date of birth is.

2. I am charged with, in violation of (name of offense(s))

(statute(s) or ordinance(s))

3. I hereby plead guilty to the offense(s) of, in violation of (name of offense(s))

(statute(s) or ordinance(s))

4. I am pleading guilty because on \_\_\_\_\_, in the City of \_\_\_\_\_,  
(date)

County of \_\_\_\_\_, State of Minnesota, I committed the following acts (state sufficient facts to establish a factual basis for all elements of the offense(s) to which the defendant is pleading guilty): \_\_\_\_\_

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5. I understand that the maximum possible sentence for any misdemeanor offense to which I am pleading guilty is 90 days imprisonment or a fine of \$ \_\_\_\_\_ or both, and that the maximum possible sentence for any gross misdemeanor offense to which I am pleading guilty is ~~1 year~~ imprisonment for 364 days or a fine of \$ \_\_\_\_\_ or both.

6. RIGHT TO AN ATTORNEY. I understand that I have the right to be represented by an attorney and that an attorney will be appointed to represent me without cost to me if I cannot afford to pay for an attorney.

7.  I have fully discussed the charge(s), my constitutional rights, and this petition with my attorney, \_\_\_\_\_.  
(name of attorney)

OR

WAIVER OF ATTORNEY. I give up my right to be represented by an attorney and any right I might have to request that an attorney be appointed to represent me.

8. I understand that I also have the following constitutional rights which I knowingly and voluntarily give up:

a. The right to a trial to the court or to a jury in which I am presumed innocent until proven guilty beyond a reasonable doubt and in which all jurors in a jury trial must agree I am guilty before the jury could find me guilty.

b. The right to confront and cross-examine all witnesses against me.

c. The right to remain silent or to testify for myself.

d. The right to subpoena and present witnesses to testify for me in my defense.

e. The right to a pretrial hearing to contest the admissibility at trial of any confessions or admissions or of any evidence obtained from a search and seizure.

9. I am entering my plea of guilty freely and voluntarily and without any promises except as indicated in number 10 below.

10. I am entering my plea of guilty based on the following plea agreement with the prosecutor (if none so state): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. I understand that if the court does not approve this agreement, I have the right to withdraw my plea of guilty and have a trial.

12. I understand that if this plea of guilty is accepted, I have the right to be present at the time of sentencing and to speak and to present evidence on my behalf.

13.  I hereby knowingly and voluntarily give up my right to be present when my plea is entered.

14.  I hereby request to be present at the time of sentencing.

OR

I hereby knowingly and voluntarily give up my right to be present at the time of sentencing and request that the court sentence me in my absence, but according to any plea agreement that might be contained in this petition.

15. I understand that if I am not a citizen of the United States, my plea of guilty may result in deportation, exclusion from admission to the United States, or denial of naturalization as a United States citizen.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_

I, \_\_\_\_\_, state that I am the attorney for the defendant in the above-entitled criminal action and that I personally explained the contents of the above petition to the defendant.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
E-mail address

PETITION AND PLEA OF GUILTY ACCEPTED BY

\_\_\_\_\_  
Judge of District Court

\_\_\_\_\_  
Date