

**FORM 32c - WAIVER OF RIGHTS AND AGREEMENT REGARDING RULE 26.01,
SUBD. 4**

State of Minnesota

County

District Court

Judicial District:	_____
Court File Number:	_____
Case Type:	Criminal

State of Minnesota,
Plaintiff

vs.

**Waiver of Rights and Agreement
Regarding Rule 26.01, subd. 4,
Trial on Stipulation to
Prosecution's Case to Obtain
Review of a Pretrial Ruling**

_____,
Defendant

TO THE ABOVE-NAMED COURT:

PROSECUTOR'S AGREEMENT THAT PRETRIAL RULING IS DISPOSITIVE

1) The prosecutor acknowledges and agrees that the court's ruling on the following pretrial issue is dispositive of the case or that a trial will be unnecessary if the defendant prevails on appeal (describe pretrial ruling):

Dated: _____
Signature of Prosecutor

**DEFENDANT'S AGREEMENT, NOT GUILTY PLEA, WAIVER OF TRIAL BY JURY
AND ASSOCIATED RIGHTS, STIPULATION, AND ACKNOWLEDGMENT OF
LIMITED APPELLATE REVIEW**

2) I, _____, Defendant in the above-entitled action, acknowledge and agree that the court's pretrial ruling described in paragraph 1 of this document is dispositive of this case or that a trial will be unnecessary if I prevail on appeal.

3) I maintain my plea of not guilty.

4) I have been advised by the court of my right to a trial by jury. I understand that:

- a. a jury is composed of the number of jurors required by law, selected from the community,
- b. I may participate in the selection of the jurors,
- c. the jury's verdict must be unanimous, and
- d. if I waive a jury, the judge alone will determine my guilt or innocence.

Having had an opportunity to consult with counsel, I waive my right to a trial by jury.

5) I have had an opportunity to consult with counsel regarding the following trial rights. I acknowledge and waive my rights:

- a. to testify at trial,
- b. to have the prosecution witnesses testify in open court in my presence,
- c. to question those prosecution witnesses, and
- d. to require any favorable witnesses to testify for me in court.

6) I stipulate to the prosecution's evidence in a trial to the court. I acknowledge that the court will receive and consider the prosecution's evidence and that the court may find me guilty based on that evidence. Specifically, I stipulate to the following evidence ***(describe stipulations or refer to on-the-record recitation of stipulations)***:

7) I acknowledge that appellate review in this case will only be of the pretrial ruling described in paragraph 1 of this document and not of my guilt or of other issues that could arise at a contested trial.

Dated: _____

Signature of Defendant
Name: _____
Street Address: _____
City/State/Zip: _____
E-mail address: _____