

IN THE CIRCUIT COURT OF SALINE COUNTY, ARKANSAS  
CRIMINAL DIVISION

FILED  
SALINE COUNTY  
CIRCUIT CLERK

PLAINTIFF

2017 APR 17 PM 3:48

STATE OF ARKANSAS

V.

63CR- 16-106-3

Vincent Heredia

BY: At DEFENDANT

GUILTY OR NO CONTEST  
PLEA STATEMENT  
(Please Indicate by Circling)

The defendant represents and states to the Court:

1. My full and correct name is Vincent Heredia.
2. My date of birth is 3-24-1974.
3. I completed the 12<sup>th</sup> grade in school and understand the English language.
4. I am represented in this case by a lawyer, Bobby Digby.
5. I am completely satisfied with the legal services rendered by my lawyer, and I have no complaints about the way my lawyer has represented me in this case. VA (initial)
6. I understand that I am pleading "Guilty" or "No Contest" to the following criminal offense(s):

(A) Offense Classification  
Negligent Homicide B Felony  
Minimum and Maximum Punishment: imprisonment for not less than 5 nor more than 20 years and/or a fine of up to \$ 15,000 -.

(B) Offense Classification  
Poss of Firearm by Certain Persons D Felony  
Minimum and Maximum Punishment: imprisonment for not less than 0 nor more than 6 years and/or a fine of up to \$ 10,000 -.

(C) Offense Classification  
Minimum and Maximum Punishment: imprisonment for not less than \_\_\_\_\_ nor more than \_\_\_\_\_ years and/or a fine of up to \$ \_\_\_\_\_.

Recommendation (If the recommendation is ADC, RPF, Probation, or SIS, please indicate by circling):

72 months ADC RCF followed by 48 month suspended imposition of sentence (SIS)

\_\_\_\_ months probation/SIS    \_\_\_\_ days county jail    \_\_\_\_ Fine    \_\_\_\_ Costs    \_\_\_\_ ADC tour

\_\_\_\_ public defender fee    \_\_\_\_ dna test & \$250.00 fee    \_\_\_\_ \$20.00 jail booking fee

\_\_\_\_ restitution    \_\_\_\_ hours community service    \_\_\_\_ drug/alcohol assessment    \_\_\_\_ D/L suspension with hardship

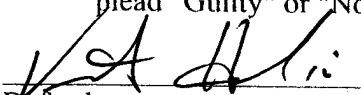
VA Heredia  
Defendant

4-17-17  
Date

No contact with: \_\_\_\_\_

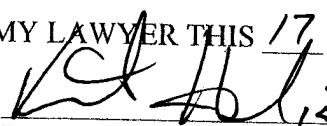
Other: \_\_\_\_\_

7. I have received or reviewed a copy of the Information and understand the criminal charges against me.
8. I have told my lawyer all facts and circumstances known to me about the charges against me, including all factual and legal defenses, and my lawyer has told me of the nature of each charge, the elements of each charge, and all defenses that I might have.
9. I understand that if I plead "guilty" or "no contest" to any or all of these criminal charges, I will give up (waive) my legal rights, which include:
  - a. The right to remain silent. I understand any statement that I make can and will be used against me;
  - b. The right to a public and speedy trial by jury. If I had a jury trial:
    - i. The jury verdict would have to be unanimous (all the jurors would have to agree) before I could be found guilty of any crime;
    - ii. The jury could find me guilty on all charges, not guilty on any charges, guilty of one or more but not all of the charges, or guilty of a "lesser offense," for which the punishment could be less than the penalties set forth in Paragraph 8 above;
  - c. The right to the presumption of innocence;
  - d. The right to require the State of Arkansas to prove my guilt beyond a reasonable doubt of each and every charge, and to prove each element of each offense;
  - e. The right to require the State of Arkansas to present witnesses against me, who would be required to testify under oath in open court and in my presence, with each witness being subject to cross-examination by my lawyer;
  - f. The right to present witnesses in my own behalf in the trial. If I cannot financially afford to obtain the attendance of my witnesses for my trial, the Court will take steps to secure the presence of those witnesses at no expense to me;
  - g. The right to testify or not to testify at the trial. If I decide not to testify, the jury could not consider my silence in deciding whether I am guilty or innocent;
  - h. The right to appeal from the jury verdict, conviction, sentence, and judgment, challenging all issues of fact and law. I understand that my lawyer is available to answer any questions I may have about filing an appeal;
  - i. The right to challenge the legality of my arrest, and/or the admissibility of evidence which may be offered against me, including the right to have a hearing by the judge before I have my jury trial.
10. I understand that I could have other problems if I plead guilty to any of these charges including, but not limited to, the loss of voting rights, the right to own or carry a firearm, and difficulty in obtaining employment.
11. I understand that if I am now or have ever been on probation for other offenses, or if I have any prior felony convictions, my guilty plea in this case may affect the length of time I may be required to serve in confinement, and may result in my being sentenced as a habitual offender.
12. I have not been threatened, coerced, pressured, or intimidated in any way by anyone, and no force of any kind has been used against me to get me to plead to any offense.
13. No promises of any kind have been made by anyone to me or to my knowledge to anyone else on my behalf, except that the Prosecuting Attorney has advised my lawyer as to the recommendation that will be made to the Court, which recommendation is contained in this Plea Agreement.
14. I have reviewed the recommendation and have discussed it fully with my lawyer, and I am willing to plead "Guilty" or "No Contest" and accept the recommendation.

  
\_\_\_\_\_  
Defendant

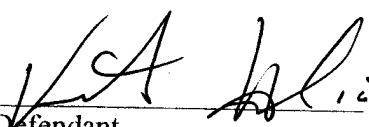
4-17-17  
\_\_\_\_\_  
Date

15. If my "Guilty" or "No Contest" plea is not accepted by the Court, or if the Court declines to accept the recommendation, I understand that my "Guilty" or "No Contest" plea can be withdrawn, and any statements or admissions made by me in open court will not be admissible against me in the trial of this case.
16. Neither the Prosecuting Attorney, nor my attorney, nor the Court, nor anyone else, has made any representations to me about being released from confinement sooner than the actual sentence that I will receive from the Court. I understand that I may have to serve the full sentence before I am released.
17. I believe that I am of sound mind and fully understand what I am doing. I am not under the influence of drugs, alcohol, medicine, or any other substance which could influence my judgment.
18. I do not suffer from any mental disease or defect.
19. All questions that I may have had about these proceedings and about the plea documents which are before the Court have been answered.
20. I now plead "Guilty" or "No Contest" to each and all of the charges against me. I request the Court to accept and enter a plea of "Guilty."
21. I offer my plea of "Guilty" or "No Contest" freely and voluntarily, and of my own free will, understanding the matters contained in the Information and in this Plea Statement, and this plea is made with the advice and consent of my lawyer.
22. My plea of "Guilty" or "No Contest" is made with the knowledge and understanding that the Prosecuting Attorney will make a recommendation to the Court.
23. All statements contained in this Plea Statement and all statements which I may make to the Court are true and correct and may be relied upon by the Court in accepting my "Guilty" or "No Contest" plea in this case.
24. If you are not a citizen, you are hereby advised that conviction of the offense for which you have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

SIGNED BY ME IN THE PRESENCE OF MY LAWYER THIS 17 DAY OF April,  
 20 17.  
  
 \_\_\_\_\_  
 DEFENDANT

I, the attorney for the Defendant, have fully explained this Plea Statement to my client, and have answered all of the Defendant's questions concerning the statement, and the Defendant has signed this Statement in my presence.

  
 \_\_\_\_\_  
 ATTORNEY FOR DEFENDANT

  
 \_\_\_\_\_  
 Defendant

4-17-17  
 \_\_\_\_\_  
 Date