

INSTRUCTIONS FOR USING AFFIDAVIT OF DEFENSE

The Affidavit of Defense is designed for individuals who are unable to appear in court on a Traffic Infraction. The affidavit must be completed and returned before the court date at which time it will be submitted to the judge or hearing officer in lieu of your attendance.

- 1. Print or type all information.**
- 2. Sign and have Affidavit notarized.**
- 3. Return this Affidavit no later than 5 days before the scheduled court date.**
- 4. Send to: Central Cashiering, Traffic Department**

**The Kim C. Hammond Justice Center
1769 E. Moody Boulevard, Building 1
Bunnell, FL 32110**

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff

vs.

CASE NO.: _____

CITATION NO.: _____

DRIVER'S LICENSE NO.: _____

Defendant

AFFIDAVIT OF DEFENSE OR ADMISSION AND WAIVER OF APPEARANCE

1. Before me, personally appeared _____,
who after first being placed under oath, swears or affirms as follows:

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 violations(s):
(List the charges as you understand them to be.)

(Note: This is not an admission that you violated any law.)

3. Check 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, the hearing officer or 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 personal 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.

(OVER)

