

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910	<i>FOR COURT USE ONLY</i>
PLAINTIFF PEOPLE OF THE STATE OF CALIFORNIA	
DEFENDANT	
REQUEST FOR ARRAIGNMENT AND TRIAL ON SAME DATE – INFRACTION(S)	CASE NUMBER

You are entitled to appear in court to be informed of the charges against you, to be advised of your rights, and to enter a plea. This procedure is called an arraignment. If you wish to contest the infraction charges against you, you may request that your case be set for arraignment and trial on the same date by completing and filing this form. This may permit you to have your trial without making a separate appearance before the court for arraignment. Bail is not currently required for this request.

Sign and return on or before your appearance date:

I have read and understand the above information, and the information and rights listed on the second page of this form.

I intend to plead not guilty, and I request that my case be set for arraignment and trial on the same date (Veh. Code, § 40519(a)).

I understand that my request for arraignment and trial on the same date will be deemed a written promise to appear at the time designated by the court below (Veh. Code, §§ 40508 and 40519(c)).

I understand that failure to appear at the scheduled hearing may result in a warrant for my arrest and additional criminal charges. My case may also be referred to a collection agency and up to a \$100 civil assessment may be imposed pursuant to Penal Code, section 1214.1. In addition, I may be subject to wage garnishments, tax refund intercept, and bank levies through the Franchise Tax Board Court Ordered Debt Collection Program.

Name of Defendant (printed)	Signature of Defendant	Date
Street Address	City, State, Zip Code	
Telephone Number	Email Address (optional)	

To request an interpreter, complete and file the Interpreter Request/Cancellation Form (SDSC Form #ADM-348) with the court at least three weeks before the hearing date below.

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- Request is granted. Arraignment and Court Trial** is scheduled for _____ at _____ a.m. p.m. in Dept. _____
- Request is denied. Arraignment** is scheduled for _____ at _____ a.m. p.m. in Dept. _____ at the court location indicated above. Bail posted in the amount of \$ _____.

Appearance is mandatory in this case and the bail forfeiture option noted on the reverse is NOT applicable.

See page two for additional information.

YOU MAY APPEAR REMOTELY (VIA VIDEOCONFERENCE OR TELECONFERENCE) OR IN PERSON. VISIT THE COURT’S WEBSITE AT WWW.SDCOURT.CA.GOV FOR REMOTE APPEARANCE INSTRUCTIONS.

Clerk of the Superior Court

Date: _____ by _____, Deputy

CERTIFICATE OF SERVICE

I certify that I am not a party to the above-entitled cause, that I placed a copy of this form in a sealed envelope addressed to the party shown above with postage prepaid, and deposited it in the United States mail at Chula Vista El Cajon San Diego Vista, California.

Clerk of the Superior Court

Date: _____ by _____, Deputy

DEFENDANT	CASE NUMBER
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YOU HAVE THE FOLLOWING CONSTITUTIONAL RIGHTS

1. **The right to a speedy and public trial.** You have the right to a court trial within 45 calendar days from the arraignment date (30 days if you are in custody). You are not entitled to a jury trial on an infraction.
2. **The right to remain silent and not incriminate yourself.**
3. **The right to confront and cross-examine all witnesses against you.**
4. **The right at the trial to present evidence in your favor which includes the right to have witnesses subpoenaed to testify on your behalf and to obtain all evidence that may exonerate you.** If you have witnesses, you must arrange for their appearance at the trial. If the witness will not appear voluntarily to testify on your behalf, you may ask the court for subpoenas requiring them to be present at the trial. You must ask for subpoenas at least 10 days before the trial date.
5. **The right to have an attorney defend you at all stages of the proceedings for a criminal case.** While you have the right to employ counsel, you do not have the right in infraction cases to a court-appointed attorney unless you are in custody on the infraction (Pen. Code § 19.6). If you are represented by an attorney, he or she must appear with you on the trial date.

If charged with an infraction violation of Pen. Code, §§ 193.8, 272(b)(1), 330, 415, 485, 490.1, 490.7, 555, 532b(c), 602(o), 602.13, or 853.7; Bus. & Prof. Code, §§ 2052, 2054, 2630, 2903, 3660, 3760, 3761, 4080, 4825, 4935, 4980, 4996, 5536, 6704, 6980.10, 7317, 7502, 7574.10, 7582, 7592, 7520, 7617, 7641, 7872(a), 8016, 8505, 8725, 9681, 9840, 9891.24(c), 19049, 21672, 25658(b), 25661 or 25662; Gov. Code § 27204; or Veh. Code, §§ 5201.1, 12500, 14601.1, 23109(c), 27150.1, 40508 or 42005: you have the right to elect to have the case proceed as a misdemeanor and, if you so elect, you would have all the rights and be subject to the potential penalties associated with a misdemeanor prosecution, and you will be ordered to appear in court on a future date. The prosecuting agency may not have reviewed your case before the Citation/Notice to Appear was filed with the court and if you elect to proceed as a misdemeanor, the prosecuting agency might review your case and add, delete, or amend the charges.

By filing a request for arraignment and trial on the same date in a case charging an infraction listed above, you will be deemed to have waived your right to have your case proceed as a misdemeanor.

FINANCIAL HARDSHIP/INABILITY TO PAY

If you have a financial hardship and can show you are unable to pay the amount owed on your case, you may be eligible to request a reduction on the California Courts' website at MyCitations.courts.ca.gov. For more information and other payment relief options, see the Payment Options and Financial Hardship Information page on the court's website at www.sdcourt.ca.gov/traffic.

COURT TRIAL INFORMATION

- When you appear for your scheduled hearing DO NOT stand in line or check in with the Clerk's office. Go directly to the courtroom department indicated on page one of this document at the specified time.
- If it is necessary to change your scheduled hearing, you must submit a written request by 10:00 a.m. at least two (2) court days before the scheduled date to request a new date.
- If you fail to appear at your scheduled hearing, the court may (1) order any posted bail forfeited; (2) issue a warrant; (3) proceed with the hearing in your absence; (4) impose up to a \$100 civil assessment; and/or (5) continue the arraignment and/or trial date.

FORFEIT BAIL AND SETTLE YOUR CASE

If, after you request an arraignment and trial on the same date, you decide you wish to pay or forfeit bail to settle your case and not appear for the scheduled hearing, sign and date below, and mail or drop off this document along with the full bail amount to the court location indicated on page one. The court must receive this request and bail payment by 10:00 a.m. at least two (2) court days before your scheduled hearing. By signing below and filing this request, you will be deemed to have waived the constitutional rights listed above. ***This option is NOT available if your appearance is mandatory*** (as noted on page one).

Date: _____

Defendant's Signature