

**PAULA ELAINE KAY, ESQ.
TOWN OF THOMPSON PROSECUTOR
4052 STATE ROUTE 42 NORTH
MONTICELLO, NEW YORK 12701**

**INSTRUCTIONS TO COMPLETE A PLEA BARGAIN BY MAIL: YOU MUST PLEAD NOT GUILTY
AND OBTAIN A COURT DATE BEFORE YOU COMPLETE THIS FORM!**

Please follow this procedure if you wish to try to work out a traffic ticket with a plea bargain without having to make a personal appearance in court. This procedure DOES NOT apply to tickets for misdemeanors, driving while impaired, passing a school bus, leaving the scene, speeds more than 40 mph over the speed limit or speeds of more than 96 mph. This procedure is only handled through the mail. We do not accept applications by facsimile or email. We do not accept telephone calls regarding traffic tickets. **This process may take several weeks to complete, and you must be prompt in following up with this office and with the Court, or you may risk suspension of your driving privileges.**

**YOUR APPLICATION WILL BE PROCESSED ONLY IF THE FOLLOWING ITEMS ARE
COMPLETED:**

A. Complete Section 1 of the Application and sign it. You may, on a separate page or pages, add any additional information or copies of documentation that you believe is in your favor.

B. Provide this office the following FOUR items: a copy of the Notice of Conference you received from the Court, a copy of your driver's license, a copy of your Driving Abstract (you may obtain this from the Department of Motor Vehicles of the State where you are licensed), and a self-addressed postage paid envelope.

NEXT STEPS:

Once your Application is complete, the Town Prosecutor's office will review it, and complete Section 2 of the Application by inserting a disposition of any proposed reduced charge. The Application will then be returned to you in the self-addressed postage paid envelope you provided.

If you accept the disposition offered, the Defendant must date and sign Section 3 of the Application. The original application must then be mailed directly to the Town of Thompson Court together with a self-addressed postage paid envelope. If the Court accepts the disposition, and your plea of guilty, it will contact you with a written notice of the fine and/or mandatory state surcharge imposed.

If you do not wish to accept the disposition offered, or if no disposition is offered, notify the Court in writing. The Court will then schedule a date for your trial. **NO DISPOSITION WILL BE OFFERED AT THE TRIAL. YOU AND YOUR LAWYER, IF YOU HAVE ONE, MUST APPEAR PERSONALLY AT THE TRIAL, READY TO PROCEED ON ALL ORIGINAL CHARGES AGAINST YOU.**

If you hire an attorney, and your attorney has provided the Court and this office with an original, signed, notarized waiver of appearance, your attorney may complete this form on your behalf.

**APPLICATION TO AMEND TRAFFIC INFRACTION
YOU MUST INCLUDE COPIES OF YOUR NOTICE OF CONFERENCE, YOUR LICENSE,
DRIVING ABSTRACT, AND A SELF-ADDRESSED POSTAGE PREPAID ENVELOPE**

SECTION 1

Name on Ticket (s): _____ List Charges: _____

Address: _____ Conference Date: _____

The information that follows is provided in support of my application to amend the traffic infraction(s) pending against me. (initial all that are true):

_____ There was no accident involved in this incident.

_____ There was an accident, but there are no outstanding civil liabilities. I have enclosed either releases from the other party in the accident or written acknowledgement of liability from my insurance company.

_____ I have no criminal record.

_____ I have no prior or pending alcohol or drug related charges against me.

_____ I have had # _____ traffic ticket convictions in the past 18 months.

Further explanation why a reduction in these charges is warranted: _____

I understand that any false statement made herein is punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York. Accordingly, with notice of the foregoing, I hereby affirm that the statements I have made are true, under penalty of perjury.

Date: _____ Defendant's signature: _____

SECTION 2

Based on the foregoing, and condition on Defendant pleading guilty, the People move as follows:

_____ Plea as charged to _____ Dismiss _____

_____ Amend _____ to _____

_____ Amend _____ to _____

_____ Amend _____ to _____

Sentencing is left to the sound discretion of the Court.

Date: _____ Town Prosecutor's Signature: _____

SECTION 3

Waiver and entry of plea: I have read the above and accept the disposition offered in Section 2. I hereby waive my right to appear in Court and hereby plead guilty to the amended charge or charges. I understand a plea of guilty is the same as a conviction after a trial and that I am subject to the same penalties, including such additional penalties that may be imposed by the Department of Motor Vehicles, which may include a suspension or revocation if my driver's license, and a driver improvement assessment. ANY DISPOSITION INVOLVING A REDUCTION TO VTL SECTIONS 1201 (A) OR 1202 (B) (2) WILL NOT BE ACCEPTED BY THE COURT UNTIL THE FINE IMPOSED BY THE COURT IS PAID IN FULL ON OR BEFORE THE DATE SET BY THE COURT. IF THE PAYMENT IS NOT MADE, THE ORIGINAL CHARGE OR CHARGES WILL AUTOMATICALLY BE RESTORED TO THE COURT'S CALENDAR.

Date: _____ Defendant's signature: _____