

<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF NAPA</p>	<p>FOR COURT USE ONLY</p>
<p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p style="text-align: center;">v.</p> <p>DEFENDANT:</p>	
<p>CASE NUMBER: _____ PID & EVENT NUMBER: _____</p>	
<p style="text-align: center;">REQUEST FOR MILITARY DIVERSION; ADVISAL AND WAIVER OF RIGHTS</p>	<p>HEARING DATE AND TIME: _____</p> <p>DEPARTMENT: _____</p>

INSTRUCTIONS: Read and initial statements 1-8 below if you understand and agree, and then sign and date at the bottom. If this is a DUI case, please also read and initial statement 9 if you understand and agree.

1. _____ I am the defendant in the above-captioned case, which charges the following misdemeanor violation(s) for which I am requesting Military Diversion (Pen. Code § 1001.80): _____.
2. _____ I have been advised of, understand, and waive my right to a speedy trial in this case.
3. _____ I understand that to be granted Military Diversion, I am required to provide an assessment or other evidence confirming I am a current or former member of the military and may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problem, as a result of my military service. I understand I am also required to provide a recommended treatment plan for my sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problem.
4. _____ I understand that Military Diversion, if granted, will be no longer than two years and will include a court-ordered treatment program.
5. _____ I understand that if accepted into Military Diversion, failure to comply with the terms of the program may result in reinstatement of criminal proceedings.
6. _____ I understand that if I am arrested or charged with a new criminal offense while participating in Military Diversion, criminal proceedings in this case may be reinstated and I may be found no longer eligible for Military Diversion.
7. _____ I understand that if I perform satisfactorily during the period of Military Diversion, the Court will dismiss the criminal charges. I understand that, upon successful completion of Military Diversion, the arrest upon which the diversion was based shall be deemed to have never occurred, except as stated in statement 8, below.
8. _____ I have been advised and understand that, regardless of my successful completion of Military Diversion, the arrest upon which the diversion was based may be disclosed by the Department of Justice in response to a peace officer application request, and that I am still obligated to disclose the arrest in response to a direct question contained in a questionnaire or application for a position as a peace officer, as defined in Penal Code section 830.
9. _____ I have been advised that the Department of Motor Vehicles has authority to take administrative action concerning my driving privileges based on my arrest for a violation of section 23152 or 23153 of the Vehicle Code.

I declare under penalty of perjury under the laws of the State of California that I have read and understand each of the foregoing statements, and by initialing each statement I agree to their contents.

_____ Date _____ Defendant's Signature