

**TOWN OF LIBERTY, TOWN ATTORNEY
Kenneth C. Klein, Esq.
120 North Main Street
Liberty, New York 12754
(845)-292-6980 (Court Clerks Only)**

INSTRUCTIONS: NOT GUILTY PLEA BY MAIL

Defendants and Defense Attorneys: The purpose of this application is so that you do not have to personally appear in Court. You must notify the Liberty Town Court in writing or by telephone that you are handling your ticket through the Town Attorney's Office and request a 30 day adjournment of your case. The process will be handled exclusively through the US mail. This application may only be used on traffic infractions, not misdemeanors, felonies or DWAI.

Do not Fax applications regarding traffic infractions.

A Not Guilty Plea must be received on the Original Charge before an offer can be given.

THIS OFFICE WILL GIVE YOUR REQUEST ATTENTION ONLY IF THE FOLLOWING INSTRUCTIONS ARE FULLY COMPLIED WITH:

SECTION 1: MUST BE FULLY COMPLETED AND SIGNED - If you wish, you may add any additional information in your favor on a separate piece of paper. **YOU MUST INCLUDE THE FOLLOWING:**

- **COPY OF YOUR DRIVING ABSTRACT** – You may obtain a driver's abstract by contacting the Department of Motor Vehicles.
 - Do not send an original Abstract. We are not responsible for originals.
 - Out-of-State Applications: Send copy of your driving record from your state's DMV and a copy of your driver's license.
- **A SELF-ADDRESSED STAMPED RETURN ENVELOPE**
- **APPLICATION MUST BE SUBMITTED AS AN ORIGINAL, COPIES NOT ACCEPTED.**
- If your ticket is reduced to 1201A, Parked on Pavement, and is not paid by the due date – you will be required to appear in Court on the original charge.

IF THIS APPLICATION IS NOT COMPLETED IN A TIMELY MANNER, YOU WILL BE REQUIRED TO APPEAR IN COURT. IF YOU DO NOT INCLUDE ALL INFORMATION YOUR APPLICATION WILL NOT BE PROCESSED OR RETURNED.

MAIL THE APPLICATION AND ALL REQUIRED MATERIAL TO THE TOWN ATTORNEY'S OFFICE AT THE ADDRESS LISTED ABOVE.

SECTION 2: The Town Attorney will review your application and complete Section 2. The application with our recommendation will be mailed to you in your self-addressed stamped return envelope. If you do not send us a self-addressed stamped return envelope your application will not be processed.

SECTION 3: If you accept our offer, date and sign Section 3 and return the completed application to the Liberty Town Court. If you do not want to plead guilty to the reduced charge and would like a trial sign Section 4. If this application is not completed in a timely manner, your license could be suspended.

If the Liberty Town Court accepts the proposal by the Town Attorney, the Liberty Town Court will then advise you of your fine.

PLEASE KEEP THESE INSTRUCTIONS FOR FURTHER USE AND A COPY OF ALL YOUR INFORMATION FOR YOUR RECORDS.

APPLICATION TO AMEND TRAFFIC INFRACTION
(Returned form must contain all original signatures)

YOU MUST COMPLETE AND SIGN THIS SECTION

SECTION 1

RE: People v. _____
(Your Name on Ticket)

List Charge(s): _____

Ticket#: _____

The following information is made in support of this Application to Amend Traffic Infraction(s) pending against the above named defendant:

_____ 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 acknowledgment of liability from my insurance company.

_____ Defendant has no criminal record.

_____ Defendant has no prior or pending alcohol related offenses.

_____ Defendant has _____ traffic convictions in the past _____ months.

_____ Defendant has no other pending charges.

EXPLANATION AS TO WHY A REDUCTION IS REQUESTED:

(Add any additional information which you think might aid your request on a separate piece of paper.)

Date: _____ Signature _____

(Have you included your Driver's Abstract and Self-Addressed Stamped Return Envelope ?)

False statements made in the foregoing instrument are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law. Accordingly and with notice of the foregoing I hereby affirm that the foregoing statements are true, under penalty of perjury this _____ day of _____, 20__.

SECTION 2

Based upon the foregoing facts, the People move as follows:

_____ Plea as charged to _____

_____ Amend _____ to _____ } All amendments are conditioned

_____ Amend _____ to _____ } upon a plea of guilty to

_____ Amend _____ to _____ } the amended charge(s)

_____ Dismiss _____

_____ Defendant must complete a Defensive Driving Course prior to this disposition.

Sentencing is left to the sound discretion of the Court. Respectfully,

Dated _____

Town Attorney (Sign and print your name)

SECTION 3

Waiver and Entry of Plea I have read the above and wish to accept the above proposed disposition. I waive my right to appear in Court and plead guilty to the amended charge(s). I hereby constitute my attorney, if any, to appear for me and enter my guilty plea.

Date: _____ Signature _____

MAIL THIS COMPLETED FORM TO THE COURT AS SHOWN ON YOUR TICKET

SECTION 4

Trial Requested: _____
(Signature)