APPENDIX A TO MINN. R. CRIM. P. 15

State of Minnesota | **District Court**

County	Judicial District:	FIRST
DAKOTA	Court File Number:	19HA-CR-18-2183
	Case Type:	Criminal

State of Minnesota,
Plaintiff

vs.

Petition To Enter Plea of Guilty
In Felony Case Pursuant To Rule 15

Caycee Bregel,
Defendant

TO THE ABOVE NAMED COURT:

I, Caycee Bregel, Defendant in the above-entitled action, do respectfully represent and state as follows:

1. My full name is Caycee Lynn Bregel. I am 26 years old, my date of birth is 10-8-92. The last grade that I went through in school is 12+.

2. If filed in my case, I have received, read, and discussed a copy of the (indictment)(complaint).

3. I understand the charge(s) made against me in this case.

4. Specifically, I understand that I have been charged with the crime(s) of Felony Mistreatment of animals and misdemeanor mistreatment of animals

committed on or about April 27, 2018 in Dakota County, Minnesota.
(month) (day) (year)

5. I am represented by an attorney whose name is Steven Budke

a. I feel that I have had sufficient time to discuss my case with my attorney.
b. I am satisfied that my attorney is fully informed as to facts of this case.
c. My attorney has discussed possible defenses to the crime that I might have.
d. I am satisfied that my attorney has represented my interests and has fully advised me.

6. I ☐ have / ☒ have never been a patient in a mental hospital.

7. I ☒ have / ☐ have not talked with or been treated by a psychiatrist or other person for a nervous or mental condition.

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8. I ☐ have / ☒ have not been ill recently.

9. I ☒ have / ☐ have not recently been taking pills or other medicines.

10. I ☐ do / ☒ do not make the claim that I was so drunk or so under the influence of drugs or medicine that I did not know what I was doing at the time of the crime.

11. I ☐ do / ☒ do not make the claim that I was acting in self-defense or merely protecting myself or others at the time of the crime.

12. I ☐ do / ☒ do not make the claim that the fact that I have been held in jail since my arrest and could not post bail caused me to decide to plead guilty in order to get the thing over with rather than waiting for my turn at trial.

13. ~~I ☐ was / ☐ was not represented by an attorney when I had a probable cause hearing~~. If I have not had a probable cause hearing, I understand that:

a. I could now move that the complaint against me be dismissed for lack of probable cause and I know that if I do not make such a motion and go ahead with entering my plea of guilty, I waive all right to successfully object to the absence of a probable cause hearing.

b. I waive all right to successfully object to any errors in the probable cause hearing when I enter my plea of guilty.

14. My attorney has told me and I understand that:

a. The prosecutor for the case against me has:

i. physical evidence obtained as a result of searching for and seizing the evidence;
ii. evidence in the form of statements, oral or written that I made to police or others regarding this crime;
iii. evidence discovered as a result of my statements or as a result of the evidence seized in a search;
iv. identification evidence from a line-up or photographic identification;
v. evidence the prosecution believes indicates that I committed one or more other crimes.

b. I have a right to a pretrial hearing before a judge to determine whether or not the evidence the prosecution has could be used against me if I went to trial in this case.

c. If I requested such a pretrial hearing I could testify at the hearing if I wanted to, but my testimony could not be used as substantive evidence against me if I went to trial and could only be used against me if I was charged with the crime of perjury. (Perjury means testifying falsely.)

d. I ☐ do / ☒ do not now request such a pretrial hearing and I specifically ☒ do / ☐ do not now waive my right to have such a pretrial hearing.

e. Whether or not I have had such a hearing I will not be able to object tomorrow or any other time to the evidence that the prosecutor has.

15. I have been told by my attorney and I understand that:

a. If I wish to plead not guilty I am entitled to a trial by a jury on the issue of guilt, and all jurors would have to agree I was guilty before the jury could find me guilty.

b. If I plead guilty I will not have a trial by either a jury or by a judge without a jury.

c. With knowledge of my right to a trial on the issue of guilt, I now waive my right to a trial.

16. I have been told by my attorney and I understand that if I wish to plead not guilty and have a trial by jury or trial by a judge I would be presumed innocent until my guilt is proved beyond a reasonable doubt.

17. I have been told by my attorney and I understand that:

a. If I wish to plead not guilty and have a trial the prosecutor would be required to have the witnesses testify against me in open court in my presence and that I would have the right, through my attorney, to question these witnesses.

b. With knowledge of my right to have the prosecution's witnesses testify in open court in my presence and be questioned by my attorney, I now waive this right.

18. I have been told by my attorney and I understand that:

a. If I wish to plead not guilty and have a trial I would be entitled to require any witnesses that I think are favorable to me to appear and testify at trial.

b. With knowledge of my right to require favorable witnesses to appear and testify at trial I now waive this right.

19. I have been told by my attorney and I understand that:

a. A person who has prior convictions or a prior conviction can be given a longer prison term.

b. The maximum penalty that the court could impose for this crime (taking into consideration any prior conviction or convictions) is imprisonment for 2 years. ~~If a minimum sentence is required by statute the court may impose a sentence of imprisonment of not less than _____ months for this crime~~.

MINNESOTA JUDICIAL BRANCH

X For felony driving while impaired offenses and most sex offenses, a mandatory period of conditional release will follow any executed prison sentence that is imposed. Violating the terms of this conditional release may increase the time I serve in prison. In this case, the period of conditional release is ____ years.

X A person who participates in a crime by intentionally aiding, advising, counseling, and conspiring with another person or persons to commit a crime is just as guilty of that crime as the person or persons who are present and participating in the crime when it is actually committed.

X My present probation or parole could be revoked because of my plea of guilty to this crime.

X The prosecutor is seeking an aggravated sentence of _____.

20. I have been told by my attorney and I understand that:

a. My attorney discussed this case with one of the prosecuting attorneys, and my attorney and the prosecuting attorney agree that if I enter a plea of guilty, the prosecutor will do the following (provide the substance of the agreement):

Straight plea; argue Sentencing

b. If the court does not approve this agreement:

i. I have an absolute right to withdraw my plea of guilty and have a trial.

ii. Any testimony that I have given concerning the guilty plea could not be used against me unless I am charged with the crime of perjury based on this testimony.

21. That except for the agreement between my attorney and the prosecuting attorney:

a. No one - including my attorney, any police officer, prosecutor, judge, or any other person - has made any promises to me, to any member of my family, to any of my friends, or to other persons, to obtain a plea of guilty from me.

b. No one - including my attorney, any police officer, prosecutor, judge, or any other person - has threatened me, any member of my family, my friends, or other persons, to obtain a plea of guilty from me.

22. My attorney has told me and I understand that if my plea of guilty is for any reason not accepted by the court, or if I withdraw the plea with the court's approval, or if the plea is withdrawn by court order on appeal or other review:

a. I would then stand trial on the original charge(s).

b. The prosecution could proceed against me just as if there had been no plea of guilty and no plea agreement.

23. My attorney has told me and I understand that if my plea of guilty is accepted by the judge I have the right to appeal, but that any appeal or other court action I may take claiming error in the proceedings probably would be useless and a waste of my time and the court's time.

24. My attorney has told me and I understand that a judge will not accept a plea of guilty from anyone who claims to be innocent.

25. I now make no claim that I am innocent.

26. I have been told by my attorney and I understand that if I wish to plead not guilty and have a jury trial:

a. I could testify at trial if I wanted to but I could not be forced to testify.

b. If I decided not to testify neither the prosecutor nor the judge could comment on my failure to testify.

c. With knowledge of my right not to testify and that neither the judge nor the prosecutor could comment on my failure to testify at trial, I now waive this right and will tell the judge about the facts of the crime.

27. My attorney has told me and I understand that if I am not a citizen of the United States, my plea of guilty may result in deportation, exclusion from admission to the United States, or denial of naturalization as a United States citizen.

28. That in view of all the above facts and considerations, I wish to enter a plea of guilty to the offense(s) of Mistreatment of animals
(name of offense(s))
in violation of Minn. Stat § 343.21, subd. 7, subd. 2.
(statute(s) or ordinance(s))

Dated: 4.12.19

Signature of Defendant
Name: Cayenne Lynn Bregel
Street Address: _____
City/State/Zip: _____
E-mail address: _____