

CHERRY VALLEY TOWN COURT
4207 State Route 166
P.O. Box 243
Cherry Valley, NY 13320
[Tel: 607-264-8324](tel:607-264-8324) Fax 607-264-8324

To: Individuals charged with Traffic Infractions pending in the Cherry Valley Town Court

This court has received an accusatory instrument alleging that you have committed an infraction. You are presumed innocent until proven guilty. You have the right to retain an attorney to represent you now, or at any stage in these proceedings.

You have various procedural options in the course of bringing this matter to a just disposition. You may choose to proceed in any of the following manners, or in any other legally authorized manner. You may want to consult an attorney for guidance or representation before determining which course of action you will pursue. The Court may not provide you with a recommendation as to how you should proceed, or as to which of these or any other options you should choose.

YOU MAY:

1. Plead Not Guilty and request a Trial

By pleading "Not Guilty" you exercise your right to a public trial at which the People of the State of New York, represented by the prosecution, must prove, beyond a reasonable doubt, that you have committed the offense(s) alleged in the accusatory instrument(s). At the trial you will have the right to hear, see and challenge the evidence submitted to prove your guilt, including cross examination, the Police Officer, Peace Officer, or other witness or witnesses who testify against you. You have the right to have witnesses testify on your behalf and you may, but you are not required to, testify on your own behalf. The Court will determine, after hearing all the testimony and evidence submitted at the trial, whether or not the People have proven guilty beyond doubt, and will render an appropriate verdict.

2. Plead Guilty as Charged

By pleading "Guilty" you waive your right to a trial at which the People of the State of New York, represented by the prosecution, must prove beyond a reasonable doubt that you committed the offense alleged in the accusatory instrument. A Plea of Guilty will subject you to sentencing by the Presiding magistrate to any legally authorized sentence. You may withdraw, with the Court's permission, your plea of guilty at any time prior to sentencing and exercise your right to a trial.

3. Plead Not Guilty and Communicate with the District Attorney's Office Concerning an Alternative Disposition

You may request, in person or in writing, an adjournment from the Court so that you can contact the Prosecutor or other official who is responsible for proving the charge or charges against you and negotiate an agreement to plead guilty to a legally authorized alternate offense, including a lesser included offense, or a less severe offense or offenses. Any proposed agreement is subject to approval by the Court. Upon a plea of Guilty to the agreed upon offense(s), you will be subject to sentencing, by the judge presiding, to any sentence legally authorized to be imposed for the offense to which you plead guilty.

The prosecutorial office responsible to prove the charge or charges against you alleged in the accusatory instrument(s) is:

**Office of the Otsego County District Attorney
197 Main Street
Cooperstown, NY 13326-1129**

You may request an **Application for Reduction of Charges** by submitting a request in writing for same to the District Attorney's Office. You must include a self-addressed, stamped envelope with your request. Or, you can download an Application with instructions online at www.otsegocounty.com/departments/district_attorney/

**A.D.A J.R Parshall
DO NOT TELEPHONE THE DISTRICT ATTORNEY'S OFFICE**