

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

COMMONWEALTH OF VIRGINIA

VS.

_____, **CRIMINAL NO.** _____.
DEFENDANT

DEFENDANT'S WAIVER OF RIGHT TO A SPEEDY TRIAL

The undersigned Defendant does hereby acknowledge and agree as follows:

1. The defendant has a constitutional right to a speedy trial. This right is guaranteed by virtue of certain constitutional provisions and state law, including, but not limited to the 6th Amendment to the U. S. Constitution and Article 1, Section 8, of the Virginia Constitution and Virginia Code Section 19.2-243, as amended. The undersigned has been duly advised that if there was a preliminary hearing in the General District Court and that court found probable cause that the defendant committed a felony, trial in the Circuit Court must be commenced either within five months of the finding of probable cause if the defendant is held continuously in custody, or within nine months of the finding of probable cause if the defendant is not held in custody but has been recognized for his/her appearance in court. If there was no preliminary hearing in General District Court or if the preliminary hearing was waived, the five-month and nine-month periods shall run from either the date of indictment or presentment, if the defendant has already been arrested, or from the date of arrest, if the defendant was not arrested prior to the indictment or presentment.
2. After consulting with his/her attorney, the Defendant does hereby waive his/her right to a speedy trial for the reasons stated on the record in open court.
3. The Defendant has had the opportunity to consult with his/her attorney and waives his/her right only after consulting with his/her attorney and upon the advice of his/her attorney.

Trial Date Continued. With the agreement of those present, including the Defendant, the Court sets this case for trial on _____ at _____ a.m.,
_____ **with** _____ **without a jury** _____.

Entered this _____ day of _____, 200 _____.

Defendant

Counsel for Defendant