

PAULA E. KAY
Town of Thompson Prosecutor
4052 State Route 42 North
Monticello, New York 12701

PLEASE READ AND FOLLOW THESE INSTRUCTIONS VERY CAREFULLY!

To Defendants and Defense Attorneys: Follow this procedure if you wish to try to work out a traffic ticket with a plea bargain without having to make a personal appearance in court for a conference. The Application to Amend Traffic Infraction procedure does not apply to misdemeanors, driving while impaired, or passing stopped school bus tickets. If you intend to follow this procedure, you must, as soon as you receive a Notice of Conference, notify the Town of Thompson Court in writing (at 4052 State Route 42 North, Monticello, NY 12701) or by telephone (845-794-7130) that you are attempting to handle your ticket through the Town Prosecutor's Office. The procedure with the prosecutor's office is handled exclusively through the mail. We do not accept Applications by facsimile nor do we accept telephone calls regarding these matters. **This process may take several weeks, and you must be prompt in following up with this office and with the Court, or you risk the suspension of your driving privileges.**

**YOUR APPLICATION WILL BE GIVEN ATTENTION ONLY IF
THE FOLLOWING INSTRUCTIONS ARE FULLY COMPLIED WITH:**

A. Section 1 of the Application must be fully completed and signed. You may, on separate pages, add any additional information or copies of documentation that you believe is in your favor. You must include the following: (a) a copy of the Notice of Conference you received from the Court (if you have not yet received a Notice of Conference, include a copy of your traffic ticket); (b) a copy of your license; (c) a copy of your Driving Abstract (you can obtain that from the Dept. of Motor Vehicles of the state where you are licensed); (d) a self-addressed postage pre-paid envelope; and (e) if the charge against you involves property damage, personal injury, or injury to an animal, proof that any damage claim has been resolved. Nothing you send us will be returned to you except for the Application.

MAIL THE COMPLETED APPLICATION AND ALL REQUIRED MATERIAL TO THE TOWN PROSECUTOR'S OFFICE AT THE ADDRESS SET FORTH ABOVE. **DO NOT MAIL IT TO THE COURT.** IF ALL THE REQUESTED INFORMATION IS NOT PROVIDED YOUR APPLICATION WILL BE RETURNED TO YOU MARKED "INCOMPLETE", AND YOU WILL HAVE TO START THE PROCESS ALL OVER AGAIN, IF THE COURT WILL PERMIT IT.

B. The Town Prosecutor's Office will review your Application. If it is complete we will complete Section 2 of the Application by inserting a disposition recommendation. The Application will then be returned to you in the self-addressed postage pre-paid envelope you sent us.

C. If you accept the disposition offered, the DEFENDANT, personally, not the lawyer, must date and sign Section 3 of the Application. The original Application must then be mailed directly to the Town of Thompson Court together with a self-addressed postage pre-paid envelope. If the Court accepts the disposition and your plea of guilty, it will contact you with written notice of the fine imposed.

If you do not wish to accept the disposition offered, or if no disposition is offered NOTIFY THE COURT IN WRITING. The Court will then schedule a date for your trial. **NO DISPOSITION WILL BE OFFERED AT THE TRIAL. YOU AND YOUR LAWYER, IF YOU HAVE ONE, MUST APPEAR PERSONALLY AT THE TRIAL, READY TO PROCEED TO TRIAL ON ALL ORIGINAL CHARGE(S) AGAINST YOU.**

APPLICATION TO AMEND TRAFFIC INFRACTION
(Not for use with Misdemeanor, DWAI, or Passing Stopped School Bus charges)
THE DEFENDANT, PERSONALLY, MUST SIGN SECTION 1 AND SECTION 3

SECTION 1

Name on Ticket(s): _____ List Charges: _____
Address: _____
Conference Date: _____

The information that follows is provided in support of my Application to amend the traffic infraction(s) pending against me. (Initial all that are true:)

- _____ 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.
- _____ I have no criminal record.
- _____ I have no prior or pending alcohol or drug related charges against me.
- _____ I have had # _____ traffic ticket convictions in the past 18 months.
- _____ I have no other charges pending against me in any court.

Further explanation why a reduction in the charge(s) is warranted (print): _____

I understand that any false statement made herein is punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Accordingly, with notice of the foregoing, I hereby affirm that the foregoing statements are true, under penalty of perjury.

Date: _____ Defendant's Signature: ▶ _____
(Have you included copies of the Notice of Conference or your traffic ticket(s), your license, driving abstract, self-addressed postpaid envelope, etc.?)

SECTION 2

Based on the foregoing, and conditioned on Defendant pleading guilty, the People move as follows:

- _____ Plea as charged to _____
- _____ Amend _____ to _____
- _____ Amend _____ to _____
- _____ Amend _____ to _____
- _____ Dismiss _____

Sentencing is left to the sound discretion of the Court.

Date: _____ Prosecutor's Signature: ▶ _____

SECTION 3

Waiver and entry of plea: I have read the above and accept the disposition offered in Section 2. I hereby waive my right to appear in court and hereby plead guilty to the amended charge(s). I understand a plea of guilty is the same as a conviction after a trial and that I'm subject to the same penalties, including such additional penalties that may be imposed by the Department of Motor Vehicles.

Date: _____ Defendant's Signature: ▶ _____