

**FORM 32b - WAIVER OF RIGHTS AND AGREEMENT REGARDING RULE 26.01,  
SUBD. 3**

**State of Minnesota**

County

HENNEPIN

**District Court**

Judicial District:

Fourth

Court File Number:

27-CR-21-23628

Case Type:

Criminal

State of Minnesota,  
Plaintiff

vs.

**Waiver of Rights and Agreement  
Regarding Rule 26.01, subd. 3,  
Trial on Stipulated Facts,  
Stipulated Evidence, or Both**

CARMEN BENDU GREAVES


Defendant

TO THE ABOVE-NAMED COURT:

**PROSECUTOR'S AGREEMENT**

1) The prosecutor agrees to a trial based entirely on stipulated facts, stipulated evidence, or both as set forth in paragraphs 2 and 6 of this document.

Dated: 2/28/2022

  
Signature of Prosecutor (Britta Rapp, #0393305)

**DEFENDANT'S AGREEMENT, NOT GUILTY PLEA, WAIVER OF TRIAL BY JURY  
AND ASSOCIATED RIGHTS, STIPULATION, AND ACKNOWLEDGMENT OF  
APPELLATE REVIEW**

2) I, CARMEN BENDU GREAVES, Defendant in the above-entitled action, agree that (mark one or both lines)

☒ a determination of my guilt  
☐ the existence of facts to support an aggravated sentence

may be submitted to and tried by the court based entirely on stipulated facts, stipulated evidence, or both.

3) I maintain my plea of not guilty.

4) I have been advised by the court of my right to a trial by jury on the issue of guilt and ~~the issue of an aggravated sentence~~. I understand that:

- a. a jury is composed of the number of jurors required by law, selected from the community,
- b. I may participate in the selection of the jurors,
- c. the jury's general verdict and answer(s) to any special interrogatory(ies) must be unanimous, and
- d. if I waive a jury, the judge alone will determine my guilt or innocence, ~~whether facts exist to support an aggravated sentence, or both.~~

**Mark one or both lines:**

☒ I have had an opportunity to consult with counsel, and I waive my right to a trial by jury on the issue of guilt.

☐ I have had an opportunity to consult with counsel, and I waive my right to a trial by jury on the existence of facts to support an aggravated sentence.

5) I have had an opportunity to consult with counsel regarding the following trial rights:

- a. to testify at trial,
- b. to have the prosecution witnesses testify in open court in my presence,
- c. to question those prosecution witnesses, and
- d. to require any favorable witnesses to testify for me in court.

**Mark one or both lines:**

☒ I acknowledge these trial rights and I hereby waive them for the purpose of the determination of guilt.

☐ I acknowledge these trial rights and I hereby waive them for the purpose of the determination of the existence of facts to support an aggravated sentence.

6) I stipulate to the existence of the following facts, the court's consideration of the following evidence, or both, for the purpose(s) described in paragraph 2 of this document **(describe stipulations here or refer to on-the-record recitation of stipulations).**

SEE ATTACHED LIST

7) I understand that if the court finds me guilty based on the stipulated facts, stipulated evidence, or both, I may appeal from the judgment of conviction and raise issues on appeal as from any trial to the court.

Dated: 2/28/22

/s/ CARMEN BENDU GREAVES

Signature of Defendant

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

E-mail address: \_\_\_\_\_

(SIGNED BY ATTY W/ CLIENT'S  
PERMISSION DUE TO REMOTE HEARING  
AND INABILITY TO HAVE CONTACT  
VISIT W/ CLIENT DUE TO COVID)

MINNESOTA  
JUDICIAL  
BRANCH

State v. Carmen Bendu Greaves

27 CR 21 23628

STIPULATED EXHIBITS

1. Police Report (file named "BC21-004405 report.pdf")
2. Sentencing order from felony battery in Clark County, Nevada. Court File No. C-16-312877-1
3. Sentencing order from battery in Gwinnett County, Georgia. Court File No. 13-D-02642
4. 7/1/21 OFP Order Following Hearing (27-DA-FA-21-3253)
5. 7/3/21 Certificate of Service (27-DA-FA-21-3253)
6. 7/6/21 Certificate of Service (27-DA-FA-21-3253)
7. 7/3/21 Police Report (BCPD 21-002430)
8. Complaint (27-CR-21-12497)
9. 7/7/21 DANCO (27-CR-21-12497)
10. Register of Actions (27-CR-21-12497)
11. 9/3/21 Conditional Release Order (27-CR-21-12497)
12. 911 Call #1 (audio file)
13. 911 Call #2 (audio file)
14. 911 Call #3 (audio file)
15. Fry Squad Video Clip (beginning to 7:12:19 AM)
16. Map
17. Photo – page 4 (blood on sock)
18. Photo – page 5 (scratches on arm)
19. Photo – page 7 (footprints in snow)
20. Photo – page 8 (footprints in snow)
21. Photo – page 9 (window from inside)