

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

State of Minnesota

District Court

County of: HennepinCourt File Number: 27-CR-20-13495Judicial District: FourthCase Type: CriminalState of Minnesota,

Plaintiff

VS

Eyuael Gonfa Kebede

Defendant

**Petition to Enter Plea of Guilty in Misdemeanor or Gross Misdemeanor Case
Pursuant to Rule 15**

TO THE ABOVE-NAMED COURT:

I wish to enter a plea of guilty in the above-entitled case, and I hereby state to the Court the following:

1. I am the Defendant in this case, my full name is Eyuael Gonfa Kebede, and my date of birth is 05/18/1994.
2. I am charged with gross misdemeanor DWI Operate Motor Vehicle-Alcohol Concentration 0.08 Within 2 hours; gross misdemeanor DWI-Operate Motor Vehicle Under Influence of Alcohol; misdemeanor Careless Driving and misdemeanor Driving After Revocation, in violation of Minn. Stats. §169A.20.1(5); 169A.20.1(1); 169.13.2(a) and 171.24.2.
3. I hereby plead guilty to the offense of gross misdemeanor DWI DWI-Operate Motor Vehicle-Alcohol Concentration 0.08 Within 2 Hours, in violation of Minn. Stat. §169A.20.1(5).
4. I am pleading guilty because on April 25, 2020, in the City of Minneapolis, County of Hennepin, State of Minnesota, I committed the following acts (state sufficient facts to establish a factual basis for all elements of the offense(s) to which the defendant is pleading guilty):

I consumed alcohol and drove a car. I was arrested for probable cause DWI and the breath test advisory was read to me. I agreed to provide a breath sample. My alcohol concentration within 2 hours of driving was measured at .20.

5. I understand that the maximum possible sentence for any misdemeanor offense to which I am pleading guilty is 90 days imprisonment or a fine of \$1000 or both, and that the maximum possible sentence for any gross misdemeanor offense to which I am pleading guilty is imprisonment for 364 days or a fine of \$3000 or both.
6. RIGHT TO AN ATTORNEY. I understand that I have the right to be represented by an attorney and that an attorney will be appointed to represent me without cost to me if I cannot afford to pay for an attorney.
7. ☒ I have fully discussed the charge(s), my constitutional rights, and this petition with my attorney, Juanita Kyle.

OR

☐ WAIVER OF ATTORNEY. I give up my right to be represented by an attorney and any right I might have to request that an attorney be appointed to represent me.

8. I understand that I also have the following constitutional rights which I knowingly and voluntarily give up:
- a. The right to a trial to the court or to a jury in which I am presumed innocent until proven guilty beyond a reasonable doubt and in which all jurors in a jury trial must agree I am guilty before the jury could find me guilty.
 - b. The right to confront and cross-examine all witnesses against me.
 - c. The right to remain silent or to testify for myself.
 - d. The right to subpoena and present witnesses to testify for me in my defense.
 - e. The right to a pretrial hearing to contest the admissibility at trial of any confessions or admissions or of any evidence obtained from a search and seizure.
9. I am entering my plea of guilty freely and voluntarily and without any promises except as indicated in number 10 below.
10. I am entering my plea of guilty based on the following plea agreement with the prosecutor (if none so state): Serve 180 days, credit for 180 days already served. Any fine/surcharge to be satisfied with STS to be satisfied with additional jail credit. Discharge probation on 27-CR-19-901.
11. I understand that if the court does not approve this agreement, I have the right to withdraw my plea of guilty and have a trial.
12. I understand that if this plea of guilty is accepted, I have the right to be present at the time of sentencing and to speak and to present evidence on my behalf.
13. ☒ I hereby knowingly and voluntarily give up my right to be present when my plea is entered.

14. ☐ I hereby request to be present at the time of sentencing.

OR

☒ I hereby knowingly and voluntarily give up my right to be present at the time of sentencing and request that the court sentence me in my absence, but according to any plea agreement that might be contained in this petition.

15. 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.

16. I understand that I am pleading guilty to an offense classified as a "qualified prior impaired driving incident" under Minn. Stat. § 169A.03, subd. 20. Furthermore, I understand that a "qualified prior impaired driving incident" is considered an "aggravated factor" under Minn. Stat. § 169A.03, subd. 3, and this offense is an enhanceable offense. Because of my plea of guilty, if I am charged with a violation of Minn. Stat. § 169A.20, occurring within ten (10) years of the conviction on this case, I could be charged with a gross misdemeanor. If I am convicted of three (3) offenses classified as "qualified prior impaired driving incidents" under Minn. Stat. § 169A.03, subd. 20, the first of which occurred within ten (10) years of the incident in this case, I could be charged with a felony. Such felony could involve a maximum punishment of a \$14,000 fine and seven (7) years imprisonment.

Date: 10/27/23

Eyuael Gonfa Kebede
Signature of Defendant
Name: Eyuael Gonfa Kebede
Address: 3301 7th Ave N
City/State/Zip: Anoka, MN, 55303
Phone: 952 261 0461
Email: pyoel1895@yahoo.com

I, _____, state that I am the attorney for the defendant in the above-entitled criminal action and that I personally explained the contents of the above petition to the defendant.

Date: _____

Attorney for Defendant
Email: _____

PETITION AND PLEA OF GUILTY ACCEPTED BY

Judge of District Court

Date