

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

United States of America

v.

Case No. _____

_____,
Defendant

**WAIVER OF RIGHTS AND CONSENT TO SENTENCING
BY VIDEO OR TELEPHONE CONFERENCE**

I understand that I have a right to be present in the courtroom during my sentencing, with counsel. I understand that I have a right to withhold consent to sentencing by video or telephone conferencing. I understand my general right to appeal the sentence imposed in this case.

I understand that I may waive my right to be present at sentencing with counsel and to appeal my sentence on certain grounds. I understand that I may consent to be sentenced by video conference or, if video conference is not reasonably available, by telephone conference.

I have discussed with my attorney the effects of waiving my right to be present in the courtroom with counsel during my sentencing, the effects of consenting to a sentencing proceeding by video or telephone conference, and the effects of waiving my right to appeal my sentence based on my physical absence from the courtroom during sentencing or based on the use of video or telephone conferencing during sentencing.

I understand the consequences of my waiver of rights and consent. I understand that, if I waive my right to be present with counsel, I will not be in the courtroom for any of the sentencing proceeding. I understand that, in a sentencing by video or telephone conference, each participant in or spectator to the sentencing proceeding will not necessarily be present in the same place as one another or see each other in person or at all. I understand that I will not be physically present for any victim or witness statements, for any government statements, while I make any statement of my own, or to see the judge impose my sentence. I understand that, although I may communicate with counsel, my counsel may not be physically present in the same place as me. I understand that, if I waive my right to appeal based on my physical absence from the courtroom or based on my sentencing occurring by video or telephone conferencing, I will be unable to ask an appellate court to review those aspects of my sentencing.

Understanding my rights and the consequences of waiving them, I **waive** my right to be present in the courtroom with counsel for my sentencing. I **consent** to be sentenced by video conference, or by telephone conference if video conference is not reasonably available in the court's judgment, all without necessarily being in the same place as any other participant in the proceeding. I **waive** my right to appeal my sentence based on the physical absence of me or any other person during sentencing proceeding or based on the use of video or telephone conferencing.

I make this choice knowingly, intelligently, voluntarily, and of my own free will and volition. Nobody, including my attorney, has insisted upon, coerced, or improperly influenced me in my decision to waive my rights and to consent to sentencing by video or telephone conferencing.

Date

Defendant's signature

Signature of defendant's attorney

Printed name of defendant's attorney