

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONO 100 THOMPSONS WAY P O BOX 1037 MAMMOTH LAKES CA, 93546 MAMMOTH LAKES BRANCH	<i>FOR COURT USE ONLY</i>
PEOPLE OF THE STATE OF CALIFORNIA <p style="text-align: center;">v.</p> DEFENDANT:	
(PENAL CODE § 1001.80) MILITARY DIVERSION REQUEST, ADVISAL AND WAIVER OF RIGHTS, AND ORDER	CASE NUMBER:

Defendant: Initial each statement below.

1. _____ I am the defendant in the above-captioned case, which charges the following misdemeanor violation(s) for which I am requesting Military Diversion (Pen. Code § 1001.80):
 Charges: _____
2. _____ I have been advised of, understand, and waive my right to a speedy trial in this case.
3. _____ I understand that to be granted Military Diversion, I must provide an assessment or other evidence confirming I am a current or former member of the military and may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problem, as a result of my military service. I also must provide a recommended treatment plan for my military related disorder and updated progress reports for each review hearing.
4. _____ I understand that the Military Diversion program, if granted, will be no longer than 2 years and will include a Court ordered treatment program.
5. _____ I understand that if Military Diversion is granted, failure to comply with the terms and conditions imposed by the court may result in reinstatement of criminal proceedings.
6. _____ I understand that if I am arrested or charged with a new criminal offense while on Military Division, criminal proceedings in this case may be reinstated and I may be found no longer eligible for Military Diversion.
7. _____ I understand that if I perform satisfactorily during the period of Military Diversion, the court will dismiss the criminal charges. I understand that, upon successful completion of Military Diversion and dismissal of the charges, the arrest upon which the diversion was based shall be deemed to have never occurred, except as stated in Statement 8, below.
8. _____ I have been advised and understand that, regardless of my successful completion of Military Diversion, the arrest upon which the diversion was based may be disclosed by the Department of Justice in response to a peace officer application request, and that I am still obligated to disclose the arrest in response to a direct question contained in a questionnaire or application for a position as a peace officer, as defined in Pen. Code § 830.
9. _____ I have been advised of, understand, and waive my psychotherapist /patient privilege, and agree to sign any necessary waiver and consent form(s) including Release of Information pursuant to HIPAA.
10. _____ I have been advised that the Department of Motor Vehicles has authority to take administrative action conceding my driving privileges based on my arrest for a violation of section 23152 or 23153 of the vehicle code.

MILITARY DIVERSION REQUEST, ADVISAL AND WAIVER OF RIGHTS, AND ORDER	CASE NUMBER:
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TERMS AND CONDITIONS OF DIVERSION:

Diversion length is _____ months.

Obey all laws.

Notify the court, in writing, of any change of mailing address, telephone number, and email address.

- Pay restitution in the amount of \$_____ to Mono County District Attorney.
- Not drive unless licensed and insured.
- Attend AA/NA meetings _____ per week for _____ weeks.
- Attend counseling for:
- Perform _____ hours of community service with proof to the court by_____.
- Comply with any Criminal Protective Order.
- Attend and Complete a licensed Driving under the influence program, length of program_____.
- Submit to random drug and/or alcohol testing by your treatment provider
- Other: _____

Date: _____

(Attorney's Signature)

I declare under penalty of perjury under the laws of the State of California that I have read and understand each of the foregoing statements, and by initialing each statement I agree to their content and to the Terms and Conditions of Diversion.

Date: _____

(Defendant's Signature)

Mailing Address/Telephone/E-mail

