

Instructions

Plea & Counsel Affidavits

Following these instructions you will find three different example Affidavits, with accompanying example Affidavits of Service. The affidavits are 1) 'AFFIDAVIT OF _____ DENYING ENTRY OF PLEA (used to deny entry of a plea (to withdraw a plea entered by the court without your consent)], • 2) AFFIDAVIT OF _____ DENYING APPOINTMENT OF COUNSEL & POWER OF ATTORNEY (used to deny power of attorney to a court appointed attorney, appointed without your consent, • and 3) AFFIDAVIT OF _____ DENYING ENTRY OF PLEA AND APPOINTMENT OF COUNSEL (which combines the purposes of the first two affidavits mentioned in a single affidavit.)

If any one of these affidavits is used, the original should be filed in the case file of the court where the case is pending along with the executed affidavit of service pertaining thereto. In all three instances a copy of the affidavit must be served on opposing counsel (i.e the prosecutor's office). In the instance of the affidavits that deny appointment of counsel a copy must be served on the appointed attorney. If **the attorney** is part of a firm, it might be prudent to serve an **additional** copy upon the firm the appointed attorney is affiliated with.