



APPLICATION FOR DEFERRED PROSECUTION

Case No. _____
Court _____
County _____
Division _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

v.

DEFENDANT

Pursuant to KRS 218A.1415, the defendant moves to be admitted into the deferred prosecution program. In support of this motion, the defendant is charged with a violation of KRS 218A.1415, Possession of a Controlled Substance 1st degree. This is the defendant's [] First offense [] Second offense of this charge.

Defendant's Prior Criminal History:

The defendant is required to list all convictions for previous offenses in order to determine eligibility for the deferred prosecution program. KRS 431.078 notwithstanding, expunged offenses must be included:

Offense:	County	Conviction Date:	Case Number:

The defendant will agree to the terms and conditions set forth by the Commonwealth and agreed to by the Court, which may include completion of an intensive secured substance abuse treatment program or a global positioning monitoring system. KRS 533.250(1)(h), (2).

The defendant shall not be required to plead guilty or enter an Alford plea as a condition of applying for participation in a deferred prosecution program.

The defendant swears under penalty of perjury that the above information is complete and correct.

PERJURY WARNING: I understand that **knowingly** making **any false statement** in this Application for Deferred Prosecution will subject me to the penalties for perjury as contained in KRS Chapter 532, **exposing me to a maximum sentence of five (5) years imprisonment.** I declare under the penalty of perjury that I have read or have had read to me the above Application for Deferred Prosecution and that the information contained within is true, complete, and accurate to the best of my knowledge.

Defendant's Signature

Attorney for Defendant Signature

Defendant's Name (Please Print)

Attorney's Name (Please Print)

Distribution:
Defendant/Attorney for Defendant
Commonwealth Attorney
Court file