AOC-491 Doc. Code: EGP Rev. 8-16 Paji ya 1 muri 2 Leta ya Kentucky Urukiko rw'ubutabera *www.courts.ky.gov* RCr 8.08, 8.10; KRS 17.169; 17.170; 532.050(1)	**MOTION TO ENTER GUILTY PLEA**	**IMPAMVU YO KUBURANA KWEMERA ICYAHA**	Dosiye No. ______ Urukiko ______ Intara ______ Urwego ______

LETA YA KENTUCKY UREGA

ABURANA N'

____ UREGWA

Haje Uregwa, yiyiziye kandi yunganirwa n'umwunganzi mu by'amategeko we maze asaba mu kinyabupfura Urukiko kumwemerera akisubiraho ku buryo yari yemeye kuburanamo **"ATEMERA ICYAHA"** maze asaba kubura **"YEMERA ICYAHA"** mu buryo bukurikira. Mu gushyigikira impamvu ye, Uregwa yavuze ibikurikira:

1. Amazina yose yanjye ni ____.
Ndi umuntu uvugwa mu kirego nshinjabyaha.

2. Urubanza rwanjye ntiruri bube ubu ngubu bitewe n'ibiyobyabwenge, ibisindisha cyangwa imiti.

3. Nasuzumye kopi y'inyandiko y'ikirego nshinjabyaha maze mbwira umwunganizi wanjye mu by'amategeko ibimenyetso byose byanjye ijyanye n'ibyo nshinjwa. Ndizera ko yahawe amakuru ahagije ku byerekeye ikirego cyanjye. Twaganiriye ku buryo burambuye kandi nsobanukiwe neza ibirego byose ni uko nshobora kubyiregura.

4. Nsobanukiwe ko nshobora kuburana "NTEMERA ICYAHA" cyangwa "NKABURANA NEMERA ICYAHA" ku birengo byose ndegwa.

5. Nsobanukiwe kkandi ko Itegeko Nshinga rimpa uburenganzira bukurikira:
(a) Uburenganzira bwo kudatanga ubuhamya nishinja;
(b) Uburenganzira bwo gucirwa urubanza rwihuse kandi mu ruhame n'Inteko aho mba nunganirwa n'umwunganizi mu by'amategeko wanjye kandi Urukiko rwa Commonwealth rugomba kwemeza nta shiti icyaha nshinjwa;
(c) Uburenganzira bwo kuvuguruzanya no kugenzura abatangabuhamya bose bahamagajwe kugira ngo banshinje;
(d) Uburenganzira bwo gutanga ibimenyetso, harimo kwitaba kw'abatangabuhamya banshinjura;
(e) Uburenganzira bwo kujurira ikirego cyanjye nkakigeza mu rukiko rwisumbuye

Nsobanukiwe ko iyo mburana "NEMERA ICYAHA," mba niyambuye ubwo burenganzira.

6. Nsobanukiwe ko nimburana **"NEMERA ICYAHA,"** Urukiko rushobora kumpa igihano cyose giteganywa n'amategeko kandi n'ubwo rushobora kugendera ku nama z'Urukiko rwa Commonwealth, Urukiko rumburanisha rushobora kuzanga. Ibihano biteganywa n'amategeko bishyirwaho mu nyandiko iri ku mugereka "Inyandiko ikibuyemo ibihano bitangwa n'urukiko rwa Commonwealth ku waburanye yemera icyaha (AOC-491.1)" nkaba nayisuzumye kandi nyishyiraho umukono.

7. Nsobanukiwe ko iyo Urukiko rwanze amasezerano yo kuburana, rugomba kubimenyesha. Iyo bibayeho, nshobora gukomeza kuburana nemera icyaha kandi nkaba nahabwe ibihano bikarishye kurusha ibyumvikanyweho cyangwa nkaba nakuraho ibyo kuburana nemera icyaha maze nkakomeza kuburana niregura mu rubanza. Kandi nsobanukiwe ko Urukiko rudashobora kumpa igihano ku cyaha cy'ubugome, kitari igihano gihanishwa urupfu, hatabanje gukorwa iperereza ribanziriza guhabwa igihano. Urukiko ruzirikana raporo yanditse y'iperereza ryakozwe mbere yo gutanga igihano mbere y'uko rumpa amakuru agaragaza niba amasezerano yo kuburana nemera icyaha azemerwa.

8. Bityo, mu byerekeye kuburana nemera icya ha, Urukiko rwa Commonwealth rwemeye kunsabira Urukiko rumburanisha igihano/ibihano byateganyijwe mu nyandiko iri ku mugereka "inyandiko ikibuyemo ibihano bitangwa n'urukiko rwa Commonwealth ku waburanye yemera icyaha." Usibye ibyo nasabiwe, nta kindi, nta wundi, harimo n'umwunganizi mu by'amategeko wanjye, wanyijeje guhabwa ibihembo bitewe n'uko naburanye nemera icyaha kandi nta wigeze ampatira cyangwa antera ubwoba bwo kugira ngo mburane **"NEMERA ICYAHA."**

9. Kubera mburana **NEMERA ICYAHA**, kandi nkaba ntavuga ko ndi umwere, ndifuza kuburana **"NEMERA ICYAHA"** ngendeye ku nyandiko iri ku mugereka "Ikibuyemo ibihano bitangwa n'urukiko rwa Commonwealth ku waburanye yemera icyaha."

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KU MPAMVU ZO KUMENYESHA AMAKURU GUSA. NTABWO ARI INYANDIKO YEMEWE Y'URUKIKO.

10. Ndahamya ko kwemera kuburana **"NEMERA ICYAHA"** mbikoze nta gahato, mbizi, mbifitiye ubumenyi kandi ku bushake; nkaba nunganirwa n'umwunganizi mu by'amategeko; ko umwunganizi mu by'amategeko wanjye yansobanuriye ku buryo burambuye uburenganzira mpabwa n'Itegeko Nshinga ndetse n'ibyaha nshinjwa n'uko nyabyiregura; kandi ko nsobanukiye ibisuzumwa byose bikubiye muri iyi nyandiko.

11. Nsobanukiwe ko niba mpamwe n'icyaha cyo gukoresha ikiyobyabwenge cya methamphetamine cyangwa ibyaha bijyanye n'ikinyabutabire cya anhydrous ammonia kivugwa mu Mategekoyo yavuguruwe yo muri Kentucky (KRS), Umutwe wa 218A, 250 cyangwa 514, ntibyemewe n'amategeko ko ntunga umuti wa ephedrine, ikiyobyabwenge cya pseudoephedrine,umuti wa phenylpropanolamine, imyunyu ikoreshwa hamwe na byo cyangwa biri mu bwoko bwa optical isomers, cyangwa imyunyu y'ibinyabutabire bya optical isomers kugeza mu myaka itanu ikurikira guhamwa n'icyaha, gusezererwa muri gereza cyangwa kurekurwa by'agateganyo, gusezererwa muri gereza igihe wagenewe gufungwa kitarangiye, kujurira cyangwa ubundi bwoko bwose bwo gufungurwa by'agateganyo, icyaba nyuma icyo ari cyo cyose. KRS 218A.1446.

12. Nsobanukiwe ko iburanisha ry'urubanza nshinjwamo ubwoko ubwo ari bwo bwose bwo gufata ku ngufu, ubutinganyi, ihohoterwa rishingiye ku gitsina cyangwa kuneka umuntu umukurikirana biba kimwe mu bigize gusaba ko hatangwa itegeko ryo kurinda umuntu wakorewe ihohoterwa hakurikijwe Amategeko yavuguruwe yo muri Kentucky, Umutwe wa 456 kandi bishobora gutuma icyo cyemezo gitangwa.

13. Nsobanukiwe ko nimpamwa n'icyaha **cy'ubugome** hakurikijwe Amategeko yavuguruwe yo muri Kentucky, nzafatwa ikizamini cya ADN gifatwe n'umukozi ubifitiye uburenganzira hakurikijwe KRS 17.170.

14. Nsobanukiwe ko ibirego nashinjwe uyu munsi bishobora kuvanwaho hakurikijwe KRS, Umutwe wa 431.

15. Nsobanukiwe ko kubera ko nakatiwe uyu munsi, **nshobora guhabwa ibihano byisumbuyeho/ bikaze kurushaho nindamukampamwe n'icyaha cyangwa nkazakatirwa ku byaha mpanabyaha.** Nsobanukiwe ko niba ntari umuturage wa Leta Zunze Ubumwe z'Amerika, nshobora gusubizwa mu gihugu naturutsemo hakurikijwe amategeko n'amabwiriza agenga Serivisi z'ubwimukira n'ubwenegihugu muri Leta Zunze Ubumwe z'Amerika. Nsobanukiwe ingingo zose z'iyi miburanire n'ibyo nsabwa na buri ngingo.

Bishyizweho umukono mu ruhame mu rukiko hari umwunganizi mu by'amategeko wanjye kuru uyu munsi ________ wa ___________________, 2______.

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AMAKURU GUSA NTABWO ARI INYANDIKO YEMEWE Y'URUKIKO

____
Umukono w'uregwa

ICYEMEZO CY'UMWUNGANIZI MU BY'AMATEGEKO

1. Nkurikije uko ibintu mbizi kandi mbyizera, uregwa asobanukiwe ibyo aregwa byose bikubiye mu kiregondetse/cyangwa ibyavuguruwe muri iyo nyandiko. Naganiriye birambuye n'uregwa ku byerekeye ibirego n'uko ashobora kubyiregura kandi ndizera ko yasobanukiwe neza ibirego n'uko ashobora kubyiregura. Nasuzumyehamwe n'uregwa inyandiko iri ku mugereka "ikibuyemo ibihano bitangwa n'urukiko rwa Commonwealth bihabwa uwaburanye yemera icyaha" nanamwohereza inyandiko ikubiyemo "Impamvu zo kuburana wemera icyaha," kandi ndizera ko yasobanukiwe izo nyandiko.

2. Nkurikije uko ibintu mbizi kandi mbyizera, kuburana kwe **"YEMERA ICYAHA"** yabikoze nta gahato, abizi, abifitiye ubumenyi kandiabishaka. Nasobanuriye birambuye uregwa uburenganzira ahabwa n'Itegeko Nshinga kandi ndizera ko yabisobanukiwe.

3. Kuburana "WEMERA ICYAHA" nk'uko byemewe n'uregwa bijyanye n'inama namugiriye kandi ndasaba Urukiko ko rwakwemera ubusabe bwe.

Mbishyizeho umukono mu ruhame mu rukiko hari uregwa kuri uyu munsi _____ wa ________________, 2_____.

____
Umwunganizi mu by'amategeko w'uregwa