

**STATE OF LOUISIANA  
FORTIETH JUDICIAL DISTRICT COURT  
SAINT JOHN THE BAPTIST PARISH**

**Docket:**

**Division: A**

**STATE OF LOUISIANA**

**VS**

**FILED:**

\_\_\_\_\_  
**DEPUTY CLERK**

**MOTION, AFFIDAVIT & ORDER TO WAIVE DEFENDANT'S PRESENCE AT ARRAIGNMENT**

**NOW INTO COURT**, through undersigned counsel, comes defendant, \_\_\_\_\_,  
who having been duly sworn did depose and say:

1. Defendant's arraignment on misdemeanor or felony charges is set for \_\_\_\_\_, 20\_\_\_\_  
and defendant desires to waive his presence.
2. Defendant is aware that he has the right to be present at arraignment but expressly wishes to waive this right  
and to have legal counsel appear on his behalf. Defendant desires to enter his plea by audio visual  
transmission. Defendant is further aware he has the right to trial by jury or trial by the judge alone.
3. For the duration of this case and until defendant appears personally in open court to rescind the following  
appointment, defendant hereby appoints me, \_\_\_\_\_  
(ATTORNEY'SNAME), as his agent for service of notice to appear, and defendant understands and  
stipulates that service upon counsel has the same effect as personal service upon defendant and that  
defendant's failure to appear is punishable as contempt of court and/or revocation of appearance bond.
4. Defendant's current address and telephone number is: (ADDRESS & PHONE NO.).

\_\_\_\_\_  
DEFENDANT -

\_\_\_\_\_  
ADDRESS

**SWORN TO AND SUBSCRIBED** before me, notary, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Name: \_\_\_\_\_ Parish: \_\_\_\_\_ My Commission is until: \_\_\_\_\_

Notary ID/Bar No.: \_\_\_\_\_

**WHEREFORE** defendant prays he be allowed to waive his presence at arraignment.

\_\_\_\_\_  
ATTORNEY: \_\_\_\_\_

Bar Roll No.: \_\_\_\_\_ Attorney Address: \_\_\_\_\_

**ORDER**

**IT IS ORDERED**, that the defendant, \_\_\_\_\_, having stipulated that service of notice to  
appear upon counsel has the same effect as personal service upon the defendant, is allowed to waive his presence at  
arraignment and appear through counsel.

Edgard, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.