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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Criminal No.  
 )  
Plaintiff, ) **CONSENT TO RULE 11 PLEA IN A**  
 ) **FELONY CASE BEFORE UNITED**  
v. ) **STATES MAGISTRATE JUDGE, WAIVER**  
 ) **OF PRESENTENCE REPORT**  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

I have been advised by my attorney and by the United States Magistrate Judge of my right to enter my plea in this case before a United States District Judge. I hereby declare my intention to enter a plea of guilty in the above case, and I request and consent to have my plea taken by a United States Magistrate Judge pursuant to Rule 11 of the Federal Rules of Criminal Procedure.

I understand that if my plea of guilty is taken by the United States Magistrate Judge, and the Magistrate Judge recommends that the plea be accepted, the assigned United States District Judge will then decide whether to accept or reject any plea agreement I may have with the United States and will adjudicate guilt and impose sentence.

/ / /

1 I further understand that due to my request that I be admitted  
2 into the APS Diversion Program, I am waiving the preparation of a  
3 presentence report at this time and agree that any objections I may  
4 have to the Magistrate Judge's findings and recommendation must be  
5 filed within three days of the entry of my guilty plea.

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8 Dated:

\_\_\_\_\_

9 Defendant

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12 Dated:

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13 Attorney for Defendant

14  
15 The United States Attorney consents to have the plea in this  
16 case taken by a United States Magistrate Judge pursuant to Criminal  
17 Local Rule 11.1 and further waives a presentence report in this  
18 case as well as any objections to the Magistrate Judge's findings  
19 and recommendation concerning the entry of the guilty plea.

20  
21  
22 Dated:

\_\_\_\_\_

23 Assistant United States Attorney