

CORTLAND CITY COURT
25 COURT STREET 3rd Floor
CORTLAND, NY 13045
PHONE: (607) 218-3300
FAX: (607) 218-3299
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To: Individuals Charged with Traffic Infractions Pending in Cortland City Court

This court has received an accusatory instrument alleging that you have committed an offense. You are presumed innocent until proven guilty and you have the right to retain an attorney to represent you now, or at any stage of these proceedings.

You have various procedural options in the court of bringing this matter to a just disposition. You may choose to proceed in any of the following manners, or any other legally authorized manner. You may want to consult an attorney for guidance or representation before determining which course of action you will pursue. The Court may not provide you with a recommendation as to how you should proceed or as to which of these or any other option you should choose.

YOU MAY:

Plead Not Guilty.

By pleading "Not Guilty" your case will then be scheduled for a pre-trial conference. You will receive written confirmation of the conference date from the Court. In the event that you fail to appear for the pre-trial conference absent a communication with the Court and good cause being shown, your failure to appear shall in due course be reported to the Department of Motor Vehicles and your privilege to operate a motor vehicle will be suspended.

If the matter is not resolved after your appearance at the pre-trial conference a non-jury trial will be scheduled. At the trial, the Prosecutor (People of the State of New York) must present evidence to the Court. You will have the right to cross-examine the prosecutor's witness(es) and, if you choose, to present evidence to the Court, which can include testimony from yourself or from other individuals. The Court will determine, after hearing all of the evidence submitted at the trial, whether or not the People have proven guilty beyond a reasonable doubt and will render an appropriate verdict.

Plead Guilty as Charged.

By pleading "Guilty" you waive your right to a trial at which the People of the State of New York, represented by the prosecution, must prove beyond a reasonable doubt that you committed the offense alleged in the accusatory instrument. A plea of guilty will subject you to sentencing by the judge presiding to any legally authorized sentence. You may withdraw, with the Court's permission, your plea of guilty at any time prior to sentencing and exercise your right to a trial.

Communicate with the Appropriate Prosecutorial Office Concerning an Alternative Disposition.

You may contact the Prosecutor who is responsible for proving the charge or charges against you and negotiate an agreement to plead guilty to a legal authorized alternate offense, including a lesser included offense or a less severe offense or offenses. Any proposed agreement is subject to Court approval. Upon a plea of guilty to the agreed-upon offense, you will be subject to sentencing, by the judge presiding, to any sentence legally authorized to be imposed of the offense to which you plead guilty.

The Prosecutorial Office responsible to prove the charge against you alleged in the accusatory instrument is the Cortland County District Attorney's Office. The address is:

PATRICK A. PERFETTI, DISTRICT ATTORNEY
37 CHURCH STREET
CORTLAND, NEW YORK 13045
(607) 753-5008, press option 1