



JD Peacock II
Clerk of the Circuit Court, Okaloosa County, Florida
101 E James Lee Blvd
Crestview, FL 32536
850-689-5000

In the First Judicial Circuit Court,
in and for Okaloosa County,
State of Florida

AFFIDAVIT OF DEFENSE OR ADMISSION AND WAIVER OF APPEARANCE

Name: _____

Case No. _____

Citation No. _____

Driver's Lic. No. _____

Before me, personally appeared, _____, who swears or affirms as follows:

1. My name, address and telephone number are:

Name: _____

Address: _____

Telephone number: _____

2. I am the defendant in the above referenced case and am charged with the following violation(s): (List the charges, as you understand them)

(NOTE: This is not an admission that you violated any law.)

3. Choose and mark **only one** as your plea:

I hereby plead NOT GUILTY and file this affidavit of defense as my sworn statement herein. I understand that when I plead not guilty, I do not have to supply any further statement. I understand that by my filing this affidavit, the hearing officer or judge will have to make a decision as to whether I committed the alleged violation by the sworn testimony of the witnesses, other evidence, and my statement. I understand that I am waiving my personal appearance at the final hearing of this matter.

I hereby plead GUILTY and file this affidavit as an explanation of what happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine the appropriate sentence and decide whether to adjudicate me guilty.

I hereby plead NO CONTEST and file this affidavit as an explanation of what happened and as a statement that the hearing officer or judge can consider before pronouncing a sentence. By pleading no contest, I understand that I am not admitting or denying that the infraction was committed but do not contest the charge(s), and I understand that I may be sentenced and found guilty even though I entered a plea of no

contest. I understand that I am not required to make any statement. I understand that the hearing officer or judge will determine any appropriate sentence and decide whether to adjudicate me guilty.

AFFIDAVIT OF DEFENSE

4. Defendant's Statement: (additional papers, documents, photos, etc. can be attached but should be mentioned here)

I understand that any material misrepresentation could cause me to be prosecuted for a separate criminal law violation.

Affiant/Defendant

Sworn to (or affirmed) and subscribed before me,
The undersigned authority, on _____.

Personally known or Produced identification

Typed of ID produced _____

Notary Public or Deputy Clerk

Name: _____

Commission Number: _____

My Commission Expires: _____

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, ADA Liaison

Okaloosa County

1940 Lewis Turner Boulevard

Fort Walton Beach, Florida 32547

Phone (850) 609-4700 Fax (850) 651-7725

ADA.Okaloosa@flcourts1.gov

At least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.



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PROCEDURES FOR USING AN AFFIDAVIT OF DEFENSE

1. Fill out the Affidavit of Defense including anything that you would want to state if you were to personally appear for court.
2. Have the Affidavit of Defense notarized. **(The Affidavit cannot be used as a sworn statement if it is not notarized).**

*** This affidavit can only be used on an infraction citation when a court hearing is elected, not mandated. This affidavit cannot be used on a mandatory infraction citation or a criminal citation.**

3. *Please note that we are unable to accept personal or business checks.* Include a money order or cashier's check for the full cost of the fine. (Please visit our website www.okaloosaclerk.com and refer to our department fees, or call 850-689-5000. Your affidavit of defense and either money order or cashier's check must be received in our office **no later than 7 calendar days** prior to the court date. Please exercise caution to include ample time for Court holidays. Your Affidavit of Defense must be accompanied by a money order or cashier's check made payable to the Clerk of the Circuit Court for the full cost of the fine. If these two items referenced above are not submitted within the allotted time, you will be required to appear in person for your requested court date.
4. You can either mail your affidavit of defense and your form of payment or hand deliver to the address below:

Clerk of the Circuit Court
Attention: Customer Service
101 E James Lee Blvd
Crestview, FL 32536

To keep you informed, we are required to send you a notice for the court date by e-mail or US mail when you choose to use the Affidavit of Defense.

5. We will notify you of the outcome of your court hearing by mail. Your form of payment will be applied toward the total of your imposed fine(s) and court costs. After applying your form of payment to your case, you may still have an outstanding balance due. If your case is dismissed, we will mail a refund to you in the amount that you submitted. If you wish to inquire on the outcome of your case, prior to receiving your written notice, please call 850-689-5000. Before calling to inquire please allow 48 hours following your scheduled court date.

If you have any questions or concerns, please contact the Clerk of the Circuit Court at 850-689-5000.