

Bruce Perlmutter, Esq.
Forestburgh Town Prosecutor
P.O. Box 425
Woodridge, New York 12789

Instructions:

Defendants and Defense Attorneys: The purpose of this application is so that you do not have to personally appear in court. You must notify the Town of Forestburgh Court in writing or by telephone that you are handling your ticket through the Town Prosecutor's Office. The process will be handled exclusively through the US Mail. This application may only be used on traffic infractions, not misdemeanors, felonies or DWAI.

We do not accept faxed applications or telephone calls regarding traffic infractions.

This office will give your request attention only if the following instructions are fully complied with:

1. Section (1) must be FULLY COMPLETED AND SIGNED. If you wish, you may add any additional information in your favor on a separate piece of paper.

You must include the following:

- A. **Copy of your trial notice.**
- B. **Copy of your driving abstract** – you may obtain a driver's abstract by contacting the Department of Motor Vehicles. A copy of your driver's license.
-Do not send an original Abstract. We are not responsible for originals.
-Out of state applications: Send copy of your driving record from your state's DMV and a copy of your driver's license.
- C. Self addressed stamped return envelope.
- D. **Insurance coverage letter** – **ONLY** if your traffic infraction involves an accident or damages to a person, animal and/or property, this office will not consider any reduced charge without proof that the party's damage has been resolved.

*****IF YOU DO NOT INCLUDE ALL OF THE REQUESTED INFORMATION YOUR APPLICATION WILL NOT BE PROCESSED OR RETURNED.*****

MAIL THE APPLICATION AND ALL OF THE REQUIRED MATERIAL TO THE TOWN PROSECUTOR'S OFFICE AT THE ADDRESS LISTED ABOVE. KEEP COPIES OF EVERYTHING YOU SEND.

2. The Town Prosecutor will review your application and complete Section 2. The application with the Town Prosecutor's recommendation will be mailed to you in your self-addressed stamped return envelope. **If you do not send us a self addressed stamped return envelope your application will not be processed.**

3. If you accept the offer, date and sign Section 3 and return the completed application with a self addressed stamped envelope to the Town of Forestburgh Court, 332 King Road, Forestburgh, New York 12777. Contact the court directly if you have any question about the fine amount and/or points assessed on a guilty plea. If you **DO NOT** want to plead guilty to the reduced charge or no amendment is offered, simply ask the Court for a trial date and one will be scheduled. (NOTE – NO REDUCTION WILL BE OFFERED AT TRIAL. YOU WILL PROCEED AS CHARGED).

4. If the Court accepts the proposal by the Town Prosecutor, the Court will then advise you of your fine.

PLEASE KEEP THESE INSTRUCTIONS FOR FURTHER USE AND A COPY OF ALL YOUR INFORMATION FOR YOUR RECORDS.

APPLICATION TO AMEND TRAFFIC INFRACTION
(Not for use with Misdemeanor, DWAI, or Passing Stopped School Bus charges)
THE DEFENDANT, PERSONALLY, MUST SIGN SECTION 1 AND SECTION 3

SECTION 1

Name on Ticket(s): _____ List Charges: _____

Address: _____

Conference Date: _____

The information that follows is provided in support of my Application to amend the traffic infraction(s) pending against me. (Initial all that are true:)

- _____ There was no accident involved in this incident.
- _____ There was an accident but there are no outstanding civil liabilities. I have enclosed either releases from the other party in the accident or written acknowledgment of liability from my insurance company.
- _____ I have no criminal record.
- _____ I have no prior or pending alcohol or drug related charges against me.
- _____ I have had # _____ traffic ticket convictions in the past 18 months.
- _____ I have no other charges pending against me in any court.

Further explanation why a reduction in the charge(s) is warranted (print): _____

I understand that any false statement made herein is punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Accordingly, with notice of the foregoing, I hereby affirm that the foregoing statements are true, under penalty of perjury.

Date: _____ Defendant's Signature: ▶ _____

(Have you included copies of the Notice of Conference or your traffic ticket(s), your license, driving abstract, self-addressed postpaid envelope, etc.?)

SECTION 2

Based on the foregoing, and conditioned on Defendant pleading guilty, the People move as follows:

- _____ Plea as charged to _____
- _____ Amend _____ to _____
- _____ Amend _____ to _____
- _____ Amend _____ to _____
- _____ Dismiss _____

Sentencing is left to the sound discretion of the Court.

Date: _____ Prosecutor's Signature: ▶ _____

SECTION 3

Waiver and entry of plea: I have read the above and accept the disposition offered in Section 2. I hereby waive my right to appear in court and hereby plead guilty to the amended charge(s). I understand a plea of guilty is the same as a conviction after a trial and that I'm subject to the same penalties, including such additional penalties that may be imposed by the Department of Motor Vehicles.

Date: _____ Defendant's Signature: ▶ _____