

ATTACHMENT ____

HABITUAL FELONY OFFENDER

I am aware that the State has filed a Notice to enhance my sentence pursuant to the Habitual Felony Offender Law and by entering my plea the Court will classify me as a Habitual Felony Offender. I further specifically agree that I meet the requirements of "Habitual Felony Offender" as set forth below. These requirements include:

1. I have previously been convicted of any combination of two or more felonies in this state or any offense substantially similar in elements and penalties to such an offense in this state, which is in violation of a law of any other jurisdiction.
2. The offense to which I am pleading and one of the two prior felony convictions is not related to the purchase or the possession of a controlled substance.
3. I am either serving a prison sentence or other commitment imposed as a result of a prior enumerated felony or my last conviction (including a withholding of adjudication of guilt) for a felony or conviction for a qualified offense or my release from a prison sentence or other commitment imposed was within the last five (5) years.
4. I have not received a pardon for any felony or other qualified offense that is necessary for a Habitual Felony Offender Sentence to be imposed.
5. My felony conviction(s) or other qualified offense(s) necessary for the Habitual Felony Offender Sentence to be imposed has not been set aside in any post conviction proceeding.

If the Court classifies me as a Habitual Felony Offender, the Court could sentence me as follows:

- A. For a life felony or first-degree felony, I could be sentenced to **life in prison**.
- B. For a second degree felony, I could be sentenced to **prison** for up to 30 years.
- C. For a third degree felony, I could be sentenced to **prison** up to 10 years.

I understand that sentencing as a Habitual Felony Offender will affect the possibility of early release through certain programs.

My attorney has answered all my questions and I have read, understand, and agree that I qualify for sentencing as a Habitual Felony Offender.

Defendant