

IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP  
IN AND FOR THE COUNTY OF STOREY STATE OF NEVADA

Case No.

STATE OF NEVADA

VS

Plaintiff

Defendant

**GRAFFITI ADMONISHMENT OF RIGHTS**  
**MISDEMEANOR – NRS 206.330**

- \_\_\_\_\_ 1. I am the Defendant in this case. I have not taken any medication or any other substance that today interferes in any way with my ability to understand what we are doing now. I am taking medication(s) that I am supposed to take.
- \_\_\_\_\_ 2. I am the Defendant in this case and understand I have been charged with PLACING GRAFFITI ON OR OTHERWISE DEFACING PROPERTY, A VIOLATION OF SCC 9.04.010 and NRS 206.330, in Storey County, State of Nevada, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

**PENALTIES AND RIGHTS:**

- \_\_\_\_\_ 3. I understand the State must prove the elements in Item 2 above beyond a reasonable doubt.
- \_\_\_\_\_ 4. I understand the following possible punishments:

A value of loss less than \$250 is a misdemeanor. Unless a greater penalty is provided by a specific statute, a person who has previously been convicted of a misdemeanor graffiti violation two or more times, regardless of the value of the loss, is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

In addition to any other fine or penalty imposed:

For the first offense, you will pay a fine of not less than \$400 but not more than \$1,000 and perform 100 hours of community service.

For a second offense, you will pay a fine of not less than \$750 but not more than \$1,000 and perform 200 hours of community service.

For a third and each subsequent offense, you will pay a fine of \$1,000 and perform up to 300 hours of community service for up to 1 year, as determined by the court.

Repair: The court may order you to repair, replace, clean up or keep free of graffiti the property damaged or destroyed. If it is not practicable, the court may order same for another specified property. If possible, community service will be related to the abatement of graffiti.

Restitution: In addition to any other fine or penalty imposed, the court may order you to pay restitution.

Driver's License Suspension: The court is also required to issue an order suspending your driver's license for not less than 6 months but not more than 2 years. The court is required to order you to surrender all driver's licenses held by you. If you do not possess a driver's license, the court will issue an order prohibiting you from applying for a driver's license for not less than 6 months but not more than 2 years

- \_\_\_\_\_ 5. I understand the Court is not limited by the minimum penalty and can impose additional jail time and fines up to the maximum allowed by law.
- \_\_\_\_\_ 6. I understand the State will use this and any other constitutionally valid prior conviction for GRAFFITI or similar offense to enhance the penalty for any subsequent GRAFFITI during the next 7 years.
- \_\_\_\_\_ 7. I understand I have the right to have an attorney to represent me.
- \_\_\_\_\_ 8. I understand there are significant dangers and disadvantages to representing myself and the assistance of an attorney can be very valuable in evaluating the facts, applying the law, and presenting my evidence and challenging the State's evidence.
- \_\_\_\_\_ 9. I understand if I cannot afford an attorney, the Court will appoint one to represent me.  
\_\_\_\_\_ I give up this right to an attorney; or  
\_\_\_\_\_ I am represented by: \_\_\_\_\_
- \_\_\_\_\_ 10. I understand I have the right to a speedy and public trial in front of a Judge and I give up this right.
- \_\_\_\_\_ 11. I understand I have the right to confront and question all witnesses against me and I give up this right.

