

FILED
IN THE IOWA DISTRICT COURT FOR BUTLER COUNTY

2009 JUL -2 PM 3:21

STATE OF IOWA,
Plaintiff,
vs.

CLERK OF DISTRICT COURT Criminal No. FECR008809
BUTLER COUNTY, IOWA

MARK DARYL BECKER,
Defendant.

WRITTEN ARRAIGNMENT AND
PLEA OF NOT GUILTY

COMES NOW the Defendant and respectfully states:

1. I am represented by Susan R. Flander, AT0002618, Office of the Public Defender, 103 East State Street, Suite 210, Mason City, IA. Telephone: 641-423-4181. FAX: 641-423-7341. E-mail: sflander@spd.state.ia.us.

2. I reside at c/o Cerro Gordo County Jail, Mason City, IA 50401.

3. I am 24 years old, having been born on June 3, 1985. I can read and understand the English language. I have completed the following level of education: Some college.

4. I have been advised by my attorney and understand I have the right to an arraignment in open court. I voluntarily WAIVE AND GIVE UP that right, choosing instead to sign this written arraignment. I understand that times for further proceedings, which are computed from the date of arraignment, will be computed from the date of filing this written arraignment and plea of not guilty.

5. I have received a copy of the trial information which charges me with MURDER IN THE FIRST DEGREE, in violation of Iowa Code §§707.1 and 707.2(1) and (2). I have read and familiarized myself with its contents.

6. With regard to the name by which I am charged in the Trial Information:

a. The name shown on the Trial Information is my true and correct name. I have been advised and understand that I am now precluded and stopped from objecting to the Trial Information on the grounds that I am improperly named.

~~b. The name shown on the Trial Information is not my true name. My true name is _____ . I request an entry be made in the Minutes showing my true name. I have been advised and understand that further proceedings will be had against me by that name, the Trial Information will be amended accordingly, and when the Trial Information is so amended I will be precluded from objecting on the grounds that I am improperly named.~~

7. For the purpose of this arraignment, I have had sufficient time to discuss this case with my attorney and I WAIVE AND GIVE UP any further time in which to enter a plea.

8. I understand I may plead not guilty, guilty, or former conviction or acquittal.

9. I plead **NOT GUILTY** to the charge(s) of **MURDER IN THE FIRST DEGREE**.

10. I have been fully advised and understand I have a right under rule 2.33(2)(b) of the Iowa Rules of Criminal Procedure to a trial within ninety (90) days of the filing of the trial information. I **DEMAND/WAIVE** my rights to a speedy trial pursuant to Rule 2.33(2)(b).

11. My attorney and I are available for trial on any date set by the Court Administrator.

Mark D. Becker
MARK DARYL BECKER, Defendant

STATE OF IOWA)
) ss:
CERRO GORDO COUNTY)

Subscribed, sworn to and acknowledged before me by **MARK DARYL BECKER** on 7-2-09.

Susan R. Flander
Notary Public
Susan R. Flander
Iowa Notarial Seal
Commission Number 723766
My commission expires August 5, 2009

Original filed.

Copy to:

Greg Lievens
Scott D. Brown
Judge Carroll

PROOF OF SERVICE
The undersigned certifies that the foregoing instrument was served upon all parties to the above cases to each of the attorneys of record herein at their respective addresses by _____ the pleadings on 7-2-09.
 Mail FAX
 Delivered Overnight Mail
 Other
Judith [Signature]

IN THE IOWA DISTRICT COURT ^{FILED} FOR BUTLER COUNTY

2009 JUL -2 PM 3:21

STATE OF IOWA,
Plaintiff,
vs.

CLERK OF DISTRICT COURT
BUTLER COUNTY, IOWA

Criminal No. FECR008807

MARK DARYL BECKER,
Defendant.

WRITTEN ARRAIGNMENT AND
PLEA OF NOT GUILTY

COMES NOW the Defendant and respectfully states:

1. I am represented by **Susan R. Flander**, AT0002618, Office of the Public Defender, 103 East State Street, Suite 210, Mason City, IA. Telephone: 641-423-4181. FAX: 641-423-7341. E-mail: sflander@spd.state.ia.us.

2. I reside at **c/o Cerro Gordo County Jail, Mason City, IA 50401**.

3. I am **24** years old, having been born on **June 3, 1985**. I can read and understand the English language. I have completed the following level of education: Some college.

4. I have been advised by my attorney and understand I have the right to an arraignment in open court. I voluntarily **WAIVE AND GIVE UP** that right, choosing instead to sign this written arraignment. I understand that times for further proceedings, which are computed from the date of arraignment, will be computed from the date of filing this written arraignment and plea of not guilty.

5. I have received a copy of the trial information which charges me with **ELUDING OR ATTEMPTING TO ELUDE WHILE PARTICIPATING IN A FELONY**, in violation of Iowa Code §§321.279(3). I have read and familiarized myself with its contents.

6. With regard to the name by which I am charged in the Trial Information:

a. The name shown on the Trial Information is my true and correct name. I have been advised and understand that I am now precluded and stopped from objecting to the Trial Information on the grounds that I am improperly named.

b. The name shown on the Trial Information is not my true name. My true name is _____ I request an entry be made in the Minutes showing my true name. I have been advised and understand that further proceedings will be had against me by that name, the Trial Information will be amended accordingly, and when the Trial Information is so amended I will be precluded from objecting on the grounds that I am improperly named.

7. For the purpose of this arraignment, I have had sufficient time to discuss this case with my attorney and I **WAIVE AND GIVE UP** any further time in which to enter a plea.

8. I understand I may plead not guilty, guilty, or former conviction or acquittal.

9. I plead **NOT GUILTY** to the charge(s) of **ELUDING OR ATTEMPTING TO ELUDE WHILE PARTICIPATING IN A FELONY.**

10. I have been fully advised and understand I have a right under rule 2.33(2)(b) of the Iowa Rules of Criminal Procedure to a trial within ninety (90) days of the filing of the trial information. I ~~DEMAND~~ **WAIVE** my rights to a speedy trial pursuant to Rule 2.33(2)(b).

11. My attorney and I are available for trial on any date set by the Court Administrator.

Mark D. Becker
MARK DARYL BECKER, Defendant

STATE OF IOWA)
) ss:
CERRO GORDO COUNTY)

Subscribed, sworn to and acknowledged before me by **MARK DARYL BECKER** on 7-2-09.

Susan R. Flander
Notary Public Susan R. Flander
Iowa Notarial Seal
Commission Number 723766
My commission expires August 5, 2009

Original filed.

Copy to:

Greg Lievens

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses as shown on the pleadings on 7-2-09.

- Mail
- FAX
- Delivered
- Overnight
- Other

Greg Lievens