IN THE COURT OF COMMON PLEAS
OF THE FIFTY-NINTH JUDICIAL DISTRICT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	*** COUNTY BRANCH: [ ]ELK [ ]CAMERON**
	*****
Vs.	*** CRIMINAL**
	*****
_____,	*****
DEFENDANT	*** No. CP-_____-CR-_____-20_____**

DEFENDANT'S POST-SENTENCE RIGHTS ACKNOWLEDGEMENT

1. I acknowledge and understand **my right to file a timely written post-sentence motion and notice of appeal.**

2. Specifically, I acknowledge and understand that **I shall file my written post-sentence motion within ten (10) days after the date of imposition my sentence** whereby I further acknowledge and understand that the Court has **one hundred twenty (120) days** from the date of filing of my post-sentence motion **to decide my post-sentence motion** provided the Court may **extend such time period by thirty (30) days** thereafter **if the Court has not decided my post-sentence motion it shall be deemed denied by operation of law**.

3. Specifically, I acknowledge and understand **that I am required to file my written notice of appeal as follows**:
   a. Within **thirty (30) days** of the date of entry of the Order of Court deciding my post-sentence motion;
   b. Within **thirty (30) days** of the date of entry of the Order of Court **denying by operation of law in cases in which the judge fails to decide my post-sentence motion**; or
   c. Within **thirty (30) days** of the date of entry of the Order of Court memorializing the **withdrawal of my post-sentence motion** I previously filed;
   d. If **I did not file a timely post-sentence motion** I shall file my written notice of appeal within **thirty (30) days after the date of imposition my sentence**.

4. I acknowledge and understand that I have the **right to have an attorney assist me in the preparation of a post-sentence motion and/or notice of appeal**. Specifically, I acknowledge and understand that my right to legal counsel includes my ability **to proceed with an attorney that I have already privately retained**, to **privately retain an attorney** or I may **make application with the Court for the appointment of an attorney to represent me** at no cost to me if I am without financial resources or I am otherwise unable to employ counsel.

5. I acknowledge and understand that **if I am indigent (unable to pay)** I may make application with the Court to have the Court consider **allowing me to proceed *in forma pauperis* (not have pay) if I qualify for such status**.

6. Following sentencing, I acknowledge and understand that **I have a qualified right to bail** under Rule 521 of the Pennsylvania Rules of Criminal Procedure.

7. I acknowledge and understand that **issues raised before or during trial shall be deemed preserved for appeal** whether or not I elect to file a post-sentence motion.

VERIFICATION and CERTIFICATION

Under statement of penalty punishable pursuant to 18 Pa. C.S.A. §4904, regarding unsworn falsification to authorities, Defendant and Attorney for Defendant verify and certify that they have each **read, understand and signed this Post-Sentence Rights Acknowledgement**.

_____ **Date:_____**
Signature of Defendant

_____ **Date:_____**
Signature of Attorney for Defendant **[ ]Legal Counsel Waived By Defendant**