

IN THE MUNICIPAL COURT
OF THE CITY OF EASTBOROUGH, KANSAS

CITY OF EASTBOROUGH, KANSAS,
A municipal corporation,

PLAINTIFF,

VS.

NAME: _____ DOCKET NO. _____
SEX: _____ CITATION NO. _____
RACE: _____
DATE OF BIRTH: _____
OFFENSE CHARGED: SPEED ____ IN ____

DEFENDANT.

DIVERSION AGREEMENT

NOW on this ____ day of _____, 20____, the parties to this matter enter into an agreement of diversion from prosecution, pursuant to K.S.A. 22-2905, et seq. Plaintiff appears by Eastborough City Attorney. Defendant appears in person.

The parties acknowledge the defendant is charged with the offense of Speeding ____ in a ____ mile per hour zone.

The defendant has made application for a diversion from prosecution, and it appearing to the City Attorney, upon consideration of the factors set forth in K.S.A. 22-2908 that a diversion from prosecution would be in the best interest of justice and to the benefit of the defendant; and

The defendant, knowing that the City must prove guilt beyond a reasonable doubt, hereby waives the right to a speedy trial in consideration of the City agreeing to a diversion from prosecution in this matter.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

The conditions of the diversion from prosecution are:

1. During the term of this diversion defendant shall refrain from violating any laws of the United States or of any State, or any City Ordinance, minor traffic infractions excepted.
Defendant shall pay Court costs and fines in the amount of \$_____ and a diversion fee in the amount of \$125.00, all to be paid to The City of Eastborough upon execution of this agreement. Total amount \$_____.
2. The term of this diversion agreement shall be for six (6) months from the date of this Diversion Agreement.
3. The defendant stipulates that the facts in the official police reports in this case are true and should the defendant fail to fulfill any term of this agreement and prosecution of this case is resumed, all proceedings, including any on appeal, shall be conducted on the record of the stipulated facts.
4. Plaintiff agrees that upon defendant's successful completion of the above said conditions of diversion, plaintiff will dismiss said charges as if the same had never been filed. Defendant agrees that violation of terms of this agreement will result in the immediate prosecution of the pending charges.

APPROVED:

Eastborough City Attorney

Defendant

Eastborough Municipal Court
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