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Criminal case definition government

Whether you pulled over for a DUI driving down I-40, been caught bagging a bottle of sake at Sunrise Supermarket, or got into a fight with that getting a little too close to your girl at The Crown & Goose, you are now on the receiving end of Tennessee's vision of justice. Being charged with a crime is a frightening experience, if for no other reason than you don't know what to expect. But don't give up hope; despite the complicated criminal case process, FindLaw has translated its lawyers into common sense in this article about the typical Knoxville criminal case. Find a Lawyer First and foremost, it is generally a bad idea to talk to the police if you have been arrested. You may be forced to admit guilt, and your statements will be used to impeach your credibility if you testify at trial. Listen to Miranda's warning to Knoxville police officers and understand your right to remain silent and speak to an attorney. Be aware that you can use your phone calls to contact relatives who can find experienced criminal defense lawyers and postal warrants. Criminal cases are highly technical, and every element of crime must be met before you can be convicted. In addition, the police are strictly bound by the U.S. Constitution, especially when they search or seize someone. Lawyers can often see technical errors or flaws with cases that the average Knoxvilleian won't. If your income is low enough, you could try asking for a public defender from the Knox County Community Law Office. After your arrest, you will be

taken to the Knoxville police department at 800 Howard Baker Jr. Avenue, the Knoxville County Jail at 400 Main Street (also the courthouse), or the Sheriff's Detention Center at 5001 Maloneyville Road. They will ask you some biographical questions, which you must answer despite your right to remain silent. You will then spend time in an uncomfortable holding cell until your preliminary hearing or when you send bail. If you can't afford the guarantee, try contacting a local security bond that will lend you the full amount of the guarantee, usually in exchange for 10%. Bondage Bondage If you can post bail, your initial court appearance will be a bonded indictment. At this court appearance, you can appear with your lawyer or notify the court of your inability to pay for advice. If you indicate a desire to apply for appointed counsel, the judge will grant you a form called the Indigence Statement. This document gives the judge sufficient information about your financial circumstances to determine if you are eligible for designated advice. Preliminary Hearing If you do not post a guarantee your initial court appearance is your preliminary hearing, referred to as probable cause hearings. This trial, and all future court appearances, will take place at the City County Building at 400 Main Street. If your criminal case is a minor crime, that is an accusation that that Less than a year in prison, you will be assigned to the Court of Session. If you are charged with a felony case you will move to the Circuit Court big time. The sole purpose of this trial is for the judge to determine whether or not there is a probable cause; that is, probable cause to believe a violation was committed and probable cause to believe you committed that violation. These legal standards differ from what the State must prove in a jury trial, so don't get frustrated when your attorney doesn't allow you or other witnesses to testify. Testifying at this point basically shows the card in your hand to the prosecutor, with no obvious advantage. You do, however, get a sneak peak at the prosecutor's evidence and can use this information to plan your trial strategy. The Grand Jury is the third stage of criminal proceedings. A Grand Jury is a group of thirteen random people who meet in secret, without the knowledge or presence of your lawyer. Like the judge in the prelim, the Jury makes a determination of the possibility of the same cause. The Grand Jury will only hear from people called the District Attorney, so it should come as no surprise that the Grand Jury returns indictments against almost everyone charged with criminal offenses. It is important to understand that the grand jury is not bound by the charges originally filed against you at a preliminary hearing. In other words, a jury can increase the severity of the charges against you or add a new charge altogether. Once the Grand Jury returns the indictment against you, you will be notified by letter when and where to appear for your indictment. Arraignment Arraignment is your first appearance before a Criminal Court judge, not a Court of Session judge. This new judge will (once again) ask you a series of questions about your ability to hire a lawyer, and appoint a public defender if necessary. The judge will then inform you of the charges you now face after the Grand Jury issues an indictment, and set your case in his docket. You will have the opportunity to enter a plea on the indictment, although it is generally advisable to have the lawyer review your case for insufficient evidence, constitutional violations and affirmative defense before you plead guilty. Jury Trial Eventually your case will go to trial unless you enter a plea bargain or get the case dismissed. An impartial jury will be selected and each lawyer will have the opportunity to present evidence and argue how it applies to your wrongdoing. A conviction must be unanimous, while even one not guilty will result in a legal error. Read more about what to expect at the trial in the FindLaw section about criminal trials. If all this scary and confusing, you may want to contact your local criminal defense attorney to help sort out your particular situation. The amount of time elapsed between the arrest and filing of charges on the one hand, and the trial or entry of the guilty or not pleas on the other hand, vary greatly from case to case. Cases of light drunken driving, for example, can be resolved within a month from the date of arrest in accordance with the standard application offer. (Prosecutors often have a policy of offering regular agreements to certain types of offenders, such as DUI prisoners without prior convictions.) Criminal trials can last without resolution for more than a year — and that's without taking into account the delay between arrest and filing charges. The Right to a Speedy Trial, however, once criminal proceedings begin (with the filing of charges), defendants can generally force them to move relatively quickly. For example, in California, a defendant charged with a felony must go to trial within 60 days of being indicted on an information or indictment unless there is a good reason for the delay—otherwise the judge must drop the charges. (Cal. Penal Code • 1382.) In or out? The time at which the defendant must be tried may vary from state to state, and also depends on whether the defendant is in jail. In California, defendants charged with misdemeanor or misdemeanor assault have the right to stand trial within 30 days of indictment or entry of a not guilty plea; 45 days is the deadline for those who come out with their own bail or recognition. (En.) Defendants in custody often do not want to rule out time, while defendants outside of custody often do so. However, there is no hard and fast practice, and defense lawyers usually have a strategy to recommend that clients either free time or not. Consult a Solicitor If you face criminal charges, consult an experienced local lawyer, preferably, about the time it may take to resolve your case and any other issues you may have. Only such a lawyer can effectively protect your rights and advise you on your best course of action. If you have been charged with a crime, you enter the world of the criminal justice system. In this world, an experienced lawyer is essential to help you manage your case and get the best results. Many defendants will be able to get public defenders to represent them without charge, but others may not be financially qualified or prefer to hire private lawyers. In this section we will explain who can get free legal representation, and who should (or should) hire their own criminal defense lawyers. You'll also find information about finding a lawyer, what you should expect from your attorney, and how to manage your attorney. It's a bumpy road for your daughter and a bunch of her friends who don't fit. Last week he was 18. What did he do to celebrate? Steal a cell phone, go in your Land Rover, and running around with cans of spray paint ruining most of the Upcountry. The Greenville County sheriff arrested him this morning and now he's begging you to get him out of jail. You scour the internet for legal information about criminal cases in Greenville, but you continue to find conflicting information. Conflicting. arrests occur in so many different situations, it is difficult to predict exactly what will happen. This article provides general information about what to expect in most cases if you or a loved one is arrested and charged with a Greenville criminal case. The South Carolina Penal Code for the city of Greenville was found in the South Carolina Penal Code. It's long and a bit hard to understand. There are laws against almost everything from theft to animal fights. Let's explore some interesting things. South Carolina's Statute of Limitations of the State of South Carolina is a very unique circumstance because it does not set statutes of limitations on any crime that can be set for criminal prosecution. How to Get An Attorney Because you're going to deal with a Greenville court, you might consider talking to an attorney. You can hire a Greenville criminal defense attorney or ask for a public defender. Greenville's arrest and probable cause of each case depends on individual facts and circumstances. If you are arrested, it is likely by the Greenville Police Department, Greenville County Sherriff, or the South Carolina Highway Patrol. Officers believe he has probable cause to arrest you for a crime or minor crime. Why? Because the officer may have personally witnessed the crime or the witness he reported. Officers may have a warrant, but they don't always need it. You will be arrested and should read your Miranda rights. You have other criminal rights such as the right to illegal searches and seizures and the right to have a lawyer present during questioning. Once arrested the police have two options: take you to jail for booking or release you with the promise to appear at a later date. If you're trying to find an inmate, he's probably downtown at the Greenville County Detention Center. Bond Hearing Within 24 hours of your arrest, the judge will determine whether you can be released on bond. The judge evaluates whether you are dangerous to the community or likely fled before the trial. If the judge decides to release you on bond, he sets the amount and condition of the bond. Post Bonds If you want to bail someone out of jail, there are two ways that happen. You can post a cash bond - that means you'll pay the entire amount of the guarantee. If the defendant appears for all court hearings, bail will be returned at the end of the case, regardless of whether the defendant is found guilty or not. You can also use the bond guarantee service - which requires payment of a percentage of the security amount to the bond company, which will not be refunded. The bond company then pays the remaining balance and is liable for the entire amount of bail if the defendant fails to appear in court. bonds may require a guarantee for the total amount posted. South Carolina Criminal Law and Crime Penalty broken down in South Carolina by: Crime is a very serious crime. Crimes generally carry prison sentences of a year or more. Examples of crimes are attempted murder and cocaine trafficking. A minor crime is a less serious crime. Violation of the law carries a shorter prison sentence. Examples of minor crimes include simple possession of marijuana, simple assault and battery, and tampering with an electric meter. Crimes in South Carolina South Carolina classifying a felony into category A thru F. Class A is the most serious, with F being the least serious. Sentencing for a South Carolina felony case is governed by the South Carolina Sentencing Guidelines. The state uses a very complex scheme to determine the length of your sentence if you are found guilty. In addition to the crimes listed below, some crimes have their own categories such as murder that carries a minimum of 30 years in prison, life in prison, or the death penalty. Class A: Maximum sentence of up to 30 Years; Class B: Maximum sentence up to 25 Years; Class C: Maximum sentence up to 20 Years; Class D: Maximum sentence up to 15 Years; Class E: Maximum penalty of up to 10 Years; and Class F: A maximum penalty of up to 5 Years. South Carolina's minor crimes may be considered less serious than crimes, but note, a plea of conviction or guilty can have consequences on your career, your educational opportunities, and your freedom. Class A - Maximum penalty of up to 3 years in prison; Class B - Maximum penalty of up to 2 years in prison; and Class C - A maximum penalty of up to 1 Year in Prison. Additional penalties For minor crimes and criminal offences, judges can impose additional penalties such as fines, mandatory drug or alcohol treatment, domestic violence counselling and treatment, or community service. The Last Word About The Greenville Criminal Case Remember that criminal cases can have a serious and lasting impact on your life. You have options and rights. Anyone charged with the offense may want to at least consider consulting a Greenville criminal defense attorney for more information. Information.

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