**IN THE SUPERIOR COURT OF NEWTON COUNTY**

**STATE OF GEORGIA**

**STATE OF GEORGIA §**

 **§**

**V. §**

 **§ CASE NO.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, §**

**Defendant §**

**WAIVER OF RIGHT TO ASSERT SPECIFIED GROUNDS**

**AS A BASIS FOR MOTION OF RECUSAL**

The defendant, and his/her counsel, acknowledge that as consideration for acceptance and/or continued participation in the Newton County Adult Felony Drug Court program:

1. That the above-styled case will be assigned to the Drug Treatment Court division of Superior Court before the Honorable W. Kendall Wynne, Jr.; and
2. That should defendant fail to successfully complete the Drug Treatment Court program and be terminated from said program, that the above-styled case will remain assigned before Judge Wynne.

Understanding that the assignment of this case is to Judge Wynne throughout all proceedings until ultimate disposition of the case, irrespective of defendant’s success or failure in completing the Drug Treatment Court program, the defendant hereby waives his/her right to assert as a basis for a motion to recuse the sitting judge, the following grounds:

1. the judge’s personal involvement with the defendant during his/her participation in the Drug Treatment Court program;
2. the judge’s knowledge, both personal and otherwise, of defendant’s compliance or non-compliance with the requirements of the Drug Treatment Court program; or
3. that judge’s decision to terminate the defendant from the Drug Treatment Court program on the basis of his/her failure to comply with such requirements.

Defendant hereby freely, voluntarily and knowingly waives the right to assert the foregoing as grounds for a motion to recuse and acknowledges that he/she does so having consulted with counsel.

This \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

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 Defendant/Participant Attorney for the Defendant