

U.S. DISTRICT COURT
DISTRICT OF IDAHO
Filed at _____

AUG 24 2004
CLERK, U.S. DISTRICT COURT
By [Signature] Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 PEDRO DUENAS-RIVERA,)
 a/k/a JOSE DIAZ,)
)
 Defendant.)
 _____)

Case No. CR 04-085-E-BLW

WAIVER

I, the undersigned, have discussed with my attorney my rights to have a Federal District Court Judge take my change of plea. I recognize that I have the right to proceed before a Federal District Court Judge. I also recognize that by waiving that right, I will proceed today before a United States Magistrate Judge who will determine whether my plea is voluntary and meets the other requirements of Rule of Criminal Procedure 11, and will then make a recommendation to the Federal District Court Judge as to whether to accept the plea and the plea agreement under Rule 11. I further understand that the Federal District Court judge will review the recommendation and decide whether to adopt that recommendation.

With a full knowledge of all my rights, after discussion with my attorney, I hereby waive my right to proceed before a Federal District Court judge and agree to proceed before a United States Magistrate Judge for the purpose of taking my plea.

Dated this 24 day of August 2004.

[Signature]
Defendant

[Signature]
Defendant's Attorney