

35.225 Pleas of the accused.

- (1) If an accused arraigned before a court-martial makes any irregular pleading, or, after a plea of guilty, sets up matter inconsistent with the plea, or if it appears that he has entered the plea of guilty improvidently or through lack of understanding of its meaning and effect, or if he fails or refuses to plead, a plea of not guilty shall be entered in the record and the court shall proceed as though he had pleaded not guilty.
- (2) With respect to any charge or specification to which a plea of guilty has been made by the accused and accepted by the military judge or by a court-martial without a military judge, a finding of guilty of the charge or specification may, if permitted by the regulations of the Governor, be entered immediately without vote. This finding shall constitute the finding of the court unless the plea of guilty is withdrawn prior to the announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

History: Amended 1970 Ky. Acts ch. 56, sec. 31. -- Created 1954 Ky. Acts ch. 99, sec. 44, effective July 1, 1954.