IN THE MUNICIPAL COURT FOR THE CITY OF ALBANY

FOR THE COUNTY OF LINN

CITY OF ALBANY, Plaintiff, v.) Case No				
Defendant.	,				
DOB:					
SID#:					
FINGERPRINT NUMBER (FPN # i	f known):				
	<u>MOTION</u>				
I ask the court to set aside the:					
 □ Conviction □ Record of arrest with no charges filed □ Record of citation or charge that was dismissed/acquitted □ Contempt of court finding □ Finding of Guilty Except for Insanity (GEI) 					

STATEMENT OF POINTS AND AUTHORITIES

The court may set aside a conviction record or record of arrest, citation, charge, or finding of contempt as provided in ORS 137.255.

The court may set aside a judgment finding a person guilty except for insanity of an offense as provided in ORS137.223.

DECLARATION IN SUPPORT

I am not currently charged with a crime
The arrest or citation I want to set aside is not for a charge of Driving Under the Influence
of Intoxicants (DUII) that was dismissed because I completed a diversion program

Conviction or Finding of Contempt of Guilty Except for Insanity (GEI) Date of conviction, contempt finding, or judgment of GEI: Date of release from prison or supervision by the Psychiatric Security Review Board □ ORS137.225 does not prohibit a set-aside of this conviction I am eligible to have my **CONVICTION** set aside because I was convicted or found Guilty Except for Insanity (GEI) of: (CHECK ALL THAT APPLY) Eligibility Date ☐ Misdemeanor – Class A, and □ 3 years have passed since the later of the conviction/judgment or release date and ☐ I have not been convicted of any other offense or found guilty except for insanity in the past 3 years ☐ Misdemeanor – Class B or C, and □ 1 year has passed since the later of the conviction/finding/judgment or release date, and ☐ I have not been convicted of any other offense or found guilty except for insanity (GEI) in the past year □ Violation or Contempt of Court, *and* □ 1 year has passed since the later of the conviction/finding/judgment or release date, and ☐ I have not been convicted of any other offense or found guilty except for insanity (GEI) in the past year Sentence (including sanctions for contempt) ☐ I have fully completed, complied with, or performed all terms of the sentence of the court ☐ I was sentenced to probation in this case and: ☐ My Probation WAS NOT revoked ☐ My probation WAS revoked, and 3 years have passed since the date of revocation

Record of Arrest, Citation, or Charge

Date of arrest:		
Arresting Agency:		

I am eligible to have the RECORD OF ARREST, citation, or charge set aside because: □ No accusatory instrument was filed and at least 60 days have passed since the prosecuting attorney indicated that prosecution/contempt would not be pursued Or □ An accusatory instrument was filed, and I was acquitted, or the case was dismissed							
Fingerprints							
☐ I have sent	a copy of my fingerprints to	the Department of the State Police					
		rue to the best of my knowledge and belief. In court and I am subject to penalty for perjury.					
Date	Sig	Signature					
	Na	ame (typed or printed)					
Address	City/State/Zip	Phone Number					
	CERTIFICAT	TE OF MAILING					
certify that on (date): I delivered or placed in the United							
	and complete copy of this Mo ttorney, 260 Ferry St SW, Su	otion to Set Aside and Declaration in Support to ite 202, Albany, OR 97321					
Date		Signature					
Date		Signature					
		Name (typed or printed)					