

IN THE MUNICIPAL COURT OF THE CITY OF SPRINGFIELD,
COUNTY OF LANE, STATE OF OREGON

THE CITY OF SPRINGFIELD

Plaintiff,

vs.

Defendant.

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Docket No. _____
Police Case no. _____

**Motion to Set Aside Conviction and
Seal Records of Arrest**

COMES NOW the Defendant in this matter and respectfully moves the Court for an Order setting aside the conviction and sealing the arrest records of the Defendant for the charge of _____, entered by this Court on _____ at the City of Springfield, Lane County, State of Oregon.

This Motion is based upon the record herein and upon the attached Affidavit. This motion is made pursuant to ORS 137.225, in good faith.

Dated this _____ of _____, 20____.

Signature of Defendant/Defense Attorney

SUBMITTED BY: (Please Print)		
_____ Name of Defendant or Defense Attorney		_____ Bar #
_____ Address		
_____ City	_____ State	_____ Zip
_____ Phone Number		

IN THE MUNICIPAL COURT OF THE CITY OF SPRINGFIELD,
COUNTY OF LANE, STATE OF OREGON

THE CITY OF SPRINGFIELD)
)
 Plaintiff,)
 vs.)
)
 _____)
 Defendant.)

Docket No. _____
Police Case no. _____

**Affidavit in Support of Motion to Set
Aside Conviction and Seal Records of Arrest**

I, _____, do hereby depose and say that:

I am the Defendant herein, and I am filing this Affidavit in Support of my Motion to Set Aside Conviction and to Seal the records of my arrest;

I was arrested by the Springfield Police Department on _____ for the offense of _____;

I was convicted of the offense of _____ on _____. This conviction occurred more than three (3) years ago;

The disposition of my case was as follows: _____

(ie: Probation, jail sentence, fine, other)

I have no criminal cases presently pending against me in any court;

I have no criminal convictions for any offense, excluding motor vehicle violations, in the ten (10) year period immediately preceding the filing of this motion;

I have not had another conviction set aside within the ten (10) year period immediately preceding the filing of this Motion and have no other similar motions pending in this or any other court.

I have fully complied with and performed all provisions of the sentence herein.

I am not currently under charge of the commission of any crime, nor have I been since the date of my conviction.

Dated this ____ day of _____, _____.

Signature of Defendant

SUBSCRIBED AND SWORN TO before me this ____ day of _____, _____.	
_____ Notary Public of Oregon/ Clerk of Court	My Commission Expires: _____

IN THE MUNICIPAL COURT OF THE CITY OF SPRINGFIELD,
COUNTY OF LANE, STATE OF OREGON

THE CITY OF SPRINGFIELD)	
)	Docket No. _____
Plaintiff,)	Police Case no. _____
vs.)	
)	
)	Order to Set Aside Conviction and seal Records of Arrest
)	
Defendant.)	

THIS MATTER COMES NOW before the Court on Defendant's Motion to Set Aside Conviction and Seal the Records of the Arrest pursuant to ORS 137.225, and the Court being fully advised, makes the following findings of facts and conclusions of law:

1. A copy of the Motion to Set Aside Conviction and Seal Records of Arrest was served upon the Springfield City Prosecutor, who has declined the opportunity to contest the Motion.
2. The original date of Defendant's arrest was: _____
3. The original charge against Defendant was: _____
4. Defendant was convicted of: _____
5. The date of the conviction was: _____
6. The disposition of the Defendants case was as follows: _____
7. The arresting agency was the Springfield Police Department.
8. Positive identification of Defendant has/ has not been established by the Department of State Police Criminal Identification Services, SID No. _____.
9. At least three (3) years have elapsed since the date of the pronouncement of the judgment.
10. Defendant has fully complied with and performed the sentence of the Court.
11. Defendant is not now under charge of commission of any crime.
12. Excluding motor vehicle violations, Defendant has not been convicted of any other offenses within the 10 year period immediately preceding the filing of this Motion.

It appearing to the Court that the circumstances and behavior of Defendant from the date of arrest to the date of hearing on this motion so warrant, and Court being fully advised in the premises,

NOW THEREFORE IT IS HEREBY ORDERED that Defendant's record of conviction for _____ be, and the same is, hereby set aside and sealed, and Defendant is deemed not to have previously been convicted of said crime.

IT IS FURTHER ORDERED that all other official records in the case including the records of arrest, citation or charge be set aside and sealed, and Defendant is deemed not to have been previously arrested, cited, or charged for said crime; and that all law enforcement agencies eliminate all references to Defendant's arrest, citation, or charge in this matter.

IT IS FURTHER ORDERED that the Clerk of the Court forward a certified copy of this order to all appropriate criminal justice agencies.

IT IS FINALLY ORDERED that thereafter the record of the conviction and records of arrest, citation or charge herein shall be sealed together with all other official Court records in the case.

IT IS SO ORDERED this _____ day of _____, _____.

Springfield Municipal Court Judge