

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR MULTNOMAH COUNTY

THE STATE OF OREGON,

Plaintiff,

v.

Defendant.

C#: _____

DA#: _____

MOTION AND AFFIDAVIT TO SET ASIDE A CONVICTION

COME NOW the defendant and respectfully moves the court for an order to set aside the conviction in the above matter pursuant to ORS 137.225. This motion is well founded in law and is made in good faith.

Full Name: _____ Date of birth: _____

Mailing address: _____ Phone No: _____

City: _____ State: _____ Zip Code: _____

Arresting agency: _____ Arrest date: _____ Conviction date: _____

Convicted charge(s): _____

Signature of defendant

If represented by counsel please include a letter of representation with the other materials you submit to our office.

AFFIDAVIT

I, _____, hereby swear or affirm that I am the defendant in the above-entitled matter and that the following is true and submitted in support of my motion to set aside the above-described conviction:

- At least three (3) years has lapsed since the date of my conviction;
- I have fully complied with and performed the sentence of the court;
- My conviction is one of the offenses which ORS 137.225 allows to be set aside;
- I have not been convicted of any other state, county, city, justice or federal offenses (other than motor vehicle violations) within a ten-year (10) period immediately preceding the filing of this motion. This includes any other conviction for conduct associated with the same criminal episode that caused the conviction, which I now seek to have set aside;
- I have not previously had any other conviction set-aside during the ten-year (10) period prior to this motion;
- I have no outstanding financial obligations owed to the court;
- I am not presently charged with a crime in this or any other state, county, city, justice or federal court; and
- I understand that if there is a victim of the crime for which I was convicted they will be notified, by the District Attorney, of this motion and affidavit to have the conviction set aside.

SIGNED AND SWORN to before me on _____ day of _____, _____.

Notary Public for Oregon
My commission expires: _____

Date: _____ Signature: _____ Print Signature: _____

MOTION AND AFFIDAVIT MUST BE COMPLETED TO QUALIFY FOR SETTING ASIDE CONVICTION

Original to: Court / Copies to: District Attorney's Office and Defendant

Multnomah County District Attorney's Office, Portland, OR 97204 - (503) 988-3162