

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY**

STATE OF OREGON,

PLAINTIFF,

V.

Court case #: _____

DA case #: _____

**MOTION AND DECLARATION TO
SET ASIDE A CONVICTION**

DEFENDANT.

COMES 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 Number: _____

City: _____ State: _____ Zip Code: _____

Arresting Agency: _____ Arrest Date: _____ Conviction Date: _____

Convicted Charge(s): _____

(Optional) Additional Info/Request: _____

Defendant's Signature

If you are represented by an attorney, please include a letter of representation with your submission.

DECLARATION SUPPORTING MOTION TO SET ASIDE A CONVICTION

I, _____, hereby declare that the following statement is true to the best of my knowledge and belief and that I understand it is made for use as evidence in court and is subject to penalty for perjury:

1. I am the defendant named in the above-entitled matter;
2. My conviction is for one of the offenses which ORS 137.225 allows to be set aside;
3. The following time has passed since the date of my conviction or release from prison (whichever is later):
 - If my motion is for a **Class B Felony**, seven (7) years;
 - If my motion is for a **Class C Felony**, five (5) years;
 - If my motion is for a **Class A Misdemeanor**, three (3) years;
 - If my motion is for a **Class B or C Misdemeanor, Violation, or Contempt**, one (1) year.
4. I have not been convicted of any other felony, misdemeanor, or violation level offense (other than traffic violations or one (1) non-traffic violation) within the time period described in paragraph (3) above. I understand this includes any convictions previously set aside in any jurisdiction.
5. If my probation was revoked, at least three (3) years have passed since the date of revocation;
6. I fully complied with and performed the sentence of the court, including payment of all financial obligations;
7. I have no pending charges (other than traffic violations) in any court; and
8. I understand that if my conviction involved a victim, the District Attorney will notify the victim of this motion.

Defendant's Signature: _____

Date: _____

THIS ENTIRE FORM MUST BE COMPLETED TO QUALIFY FOR SETTING ASIDE A CONVICTION

Original to: Court / Copies to: District Attorney's Office and Defendant
Multnomah County District Attorney's Office, Portland, OR 97204 (503) 988-3162

Rev. 12/21