

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

State of Oregon

Plaintiff

**Case No:** \_\_\_\_\_  
(leave blank if no court case)

vs

Defendant

**MOTION TO SET ASIDE AND SEAL  
AND  
DECLARATION OF ELIGIBILITY**

DOB: \_\_\_\_\_

*No Filing Fee*

SID# if known: \_\_\_\_\_

Citing/arresting law enforcement agency: \_\_\_\_\_  
(Example: Salem Police Dept. or Coos County Sheriff)

Arrest Date: \_\_\_\_\_

(If no arrest date, list date of citation, booking, or incident)

Fingerprint number (FPN #) if known: \_\_\_\_\_

**ELGIBILITY STATEMENT AND LEGAL BASIS**

I am eligible and move for a set aside of my record because the following is true (**check one option only**):

**Option 1:**  There was a court case, and I **was convicted on at least one charge** (or found guilty except for insanity (GEI) or in contempt of court), and:

I believe all the charges in this case are eligible, and I am moving to set aside all charges, including charges which were dismissed or acquitted

*or*

Not all the charges on this case are eligible. I am moving to set aside only the following charges:

Name of Charges	Count #

I have additional charges to provide, and they are attached on a separate page

**Option 2:**  There was a court case, and I am not moving to set aside any convictions. I am moving to set aside all eligible **dismissed or acquitted charges only**.

**Option 3:**  I was **cited or arrested** and there was **no court case**. I am moving to set aside the citation or arrest records.

Name of Citation/Arrest Offenses
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I have additional offenses to provide, and they are attached on a separate page

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### DECLARATION OF ELIGIBILITY

*These 4 statements must be true to be eligible. Check all that apply:*

- I have waited the required period under law to file this *Motion*
- I believe I am legally eligible for a set aside
- I have filed fingerprints with the Oregon State Police
- I will serve a copy of this *Motion* on the prosecuting attorney

*And*

*If you selected **Option 1** above, all of the following must also be true. Check all that apply:*

- I am not currently charged with a crime or contempt of court related to abuse or a person crime
- I have paid the Oregon State Police background check fee
- I have fully complied and performed all terms of the sentence of the court

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**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

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Date

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Signature

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Email

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Name (typed or printed)

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Address

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City, State, ZIP

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Phone

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### **Certificate of Mailing**

I certify that on (date): \_\_\_\_\_ I placed a true and complete copy of this *Motion* in the United States mail to the prosecuting attorney at (address): \_\_\_\_\_

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Date

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Defendant (signature)

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Defendant Name