

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
•
•
•

•
•

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

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

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.

Signature _____

Name (typed or printed) _____

Address _____

City, State, ZIP _____

Phone _____

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): _____

Defendant (signature) _____

Defendant Name _____