

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

STATE OF OREGON,

PLAINTIFF,

V.

\_\_\_\_\_

DEFENDANT.

Court #: \_\_\_\_\_

DA #: \_\_\_\_\_

**MOTION AND AFFIDAVIT TO SET  
ASIDE A RECORD OF ARREST**

COMES NOW the defendant and respectfully moves the court for an order to set aside the arrest 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: \_\_\_\_\_

Arrest Charge(s): \_\_\_\_\_

\_\_\_\_\_  
Defendant's Signature

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

**AFFIDAVIT SUPPORTING MOTION TO SET ASIDE A RECORD OF ARREST**

I, \_\_\_\_\_, hereby swear or affirm under penalty of perjury 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 arrest:

1. At least one (1) year has passed since the date of my arrest and no formal written complaint or other accusatory instrument has been filed against me, or I have been found not guilty or acquitted of the charge(s), or the charges have been dismissed;
2. I have not been arrested for any other offense within the three (3) year period immediately preceding the filing of this motion;
3. I have no convictions in any court for any felony, misdemeanor, or violation level offense within the last ten (10) years (other than traffic violations or one (1) non-traffic violation);
4. I have not previously had any conviction set aside which had a conviction date in the ten (10) year period immediately preceding the filing of this motion; and
5. I have no pending charges (other than traffic violations) in any court.

Defendant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

SUBSCRIBED AND SWORN to before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public for Oregon/ Court Clerk

My commission expires: \_\_\_\_\_

**THIS ENTIRE FORM MUST BE COMPLETED TO QUALIFY FOR SETTING ASIDE A RECORD OF ARREST**

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

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

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