

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

STATE OF OREGON,

PLAINTIFF,

V.

Court #: _____

DA #: _____

**MOTION AND AFFIDAVIT 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): _____

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 CONVICTION

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 conviction:

1. My conviction is for one of the offenses which ORS 137.225 allows to be set aside;
2. At least three (3) years have passed since the date of my conviction. If I was convicted of a Class B felony, at least twenty (20) years have passed since my conviction or release from imprisonment (whichever is later) and I have not been arrested for or convicted of any other offense since my conviction;
3. 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 ten (10) year period immediately preceding the filing of this motion;
4. I fully complied with and performed the sentence of the court, including payment of all financial obligations;
5. If my probation was revoked, at least ten (10) years have passed since the date of my probation revocation;
6. I have not previously had any other conviction set aside which had a conviction date in the ten (10) year period immediately preceding the filing of this motion;
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: _____

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 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. 12/15