

**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 RECORD OF
ARREST**

DEFENDANT.

IN PART (I am only moving to set aside some charges)

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): _____

(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 RECORD OF ARREST

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. One of the following is true:
 - At least sixty (60) days have 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;
3. I have no pending criminal charges in any court;
4. I have no pending cases for contempt for violating an order related to abuse or a person crime;
5. This is not a dismissal due to successful completion of DUII Diversion;
6. This is not a dismissal of a citation for a traffic violation; and
7. Within 7 days of serving this motion on MCDA, I submitted my fingerprints to the Oregon State Police.

Defendant's Signature: _____

Date: _____

PLEASE COMPLETE THE CERTIFICATE OF SERVICE ON THE FOLOWING PAGE
BOTH PAGES OF THIS FORM MUST BE COMPLETED TO QUALIFY FOR SETTING ASIDE A CONVICTION

CERTIFICATE OF SERVICE

Before filing this motion with the Multnomah County Circuit Court, I served this motion on the Multnomah County District Attorney's Office by (**CHECK ONE**):

- Email to: expungements@mcdca.us;
- Mail to: MCDA, Attn: Expungements, 1200 SW First Ave., Suite 5200, Portland, OR 97204;
- Hand delivery to: MCDA, Attn: Expungements, 1200 SW First Ave., Suite 5200, Portland, OR 97204

Printed Name: _____ **Date of Email/Mail/Hand delivery:** _____

Signature: _____ **Bar Number (if applicable):** _____

CONSENT TO SERVICE BY EMAIL

Please check one:

I consent to service by email; I consent to receive all future communications from the Multnomah County District Attorney's Office regarding this motion to set aside through email at the following email address:

Email Address: _____

I do NOT consent to service by email; I would like to receive all future communications from the Multnomah County District Attorney's Office regarding this motion to set aside by mail.