

Name: _____

Mailing Address: _____

Daytime Phone: _____

- Representing Self, without a Lawyer OR
- Attorney/other authorized to represent Defendant



**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI**

STATE OF ARIZONA)
)
)
 vs.)
)
)
 _____,)
 Defendant)
)
 _____)

Case No. 1300CR
 APPLICATION TO
 SET ASIDE / VACATE JUDGMENT
 OF GUILT AND DISMISS CHARGES
 RESTORE CIVIL RIGHTS
 RESTORE RIGHT TO POSSESS OR
 CARRY A GUN OR FIREARM

Date of Birth: _____ Date of Arrest: _____ Arresting Agency: _____

DEFENDANT, in person or by an authorized representative, alleges:

On [date] _____, a Judgment of Guilt was entered against the Defendant in Superior Court of Arizona **OR** Federal District Court for the District of _____ on a conviction of _____,

which has been designated as a Felony **OR** Misdemeanor
 Dangerous offense **OR** Serious offense

TO SET ASIDE / VACATE JUDGMENT OF GUILT AND DISMISS CHARGES:

Defendant has fulfilled the conditions of probation or sentence and has been discharged **AND**

Conviction did not involve the infliction of serious physical injury; the use or exhibition of a deadly weapon or dangerous instrument; a victim under fifteen years of age; a violation of A.R.S. §13, Ch. 14, sexual offense; a violation of A.R.S. §28-3473 relating to driver's license suspension or revocation.

TO RESTORE CIVIL RIGHTS (not including right to possess or carry gun or firearm):

On [date] _____, Defendant:

completed the conditions of probation and was discharged therefrom: **the Order is in the Superior Court file or the Affidavit of Federal Discharge is attached to this Application.**

OR

received from the Director of the Department of Corrections an absolute discharge from imprisonment on a date two (2) or more years before this date, and **a copy is attached to this Application.**

OR

received from the Director of the Federal Bureau of Prisons an absolute discharge, and a **copy of the Certificate of Absolute Discharge is attached to this Application.**

TO RESTORE RIGHT TO POSSESS OR CARRY A GUN OR FIREARM:

Defendant **WAS NOT CONVICTED** of a **Serious or Dangerous Offense** under A.R.S. §13-604

and

completed the conditions of probation and was discharged therefrom on a date two (2) or more years before this date: **the Order is in the Superior Court file or the Affidavit of Federal Discharge is attached to this Application.**

OR

received from the Director of the Department of Corrections an absolute discharge from imprisonment on a date two (2) or more years before this date and **a copy is attached to this Application.**

Defendant **WAS CONVICTED** of a **Serious Offense** under A.R.S. §13-604 **and**

completed the conditions of probation and was discharged therefrom on a date ten (10) or more years before this date; **the Order is in the Superior Court file or the Affidavit of Federal Discharge is attached to this Application.**

OR

received from the Director of the Department of Corrections an absolute discharge from imprisonment on a date ten (10) or more years before this date, and **a copy is attached to this Application.**

Defendant **WAS CONVICTED** of a **Dangerous Offense** under A.R.S. §13-604 **and** may not file for restoration of the right to possess or carry a gun or firearm.

Attached to this Application is Defendant's written authorization for a representative to make this Application (if the Application is not made by Defendant in person).

The judgment of guilt and conviction for a felony is Defendant's first felony conviction in this or any other state. **YES** **NO**

WHEREFORE Defendant prays, in accordance with §§13-905 to 13-912, that

the Judgment of Guilt be set aside / vacated and the charges dismissed

AND/OR

all civil rights (excluding the right to possess or carry a gun or firearm) lost or suspended as a result of the conviction be restored

AND/OR

the right to possess or carry a gun or firearm be restored.

Date: _____

Defendant's Signature or Authorized Representative

Defendant's complete mailing address

For Office Use Only:

Copies to: CA _____ (e+) APD _____ VS _____ (e+)

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI**

STATE OF ARIZONA)	Case No. <u>1300CR</u>
)	
)	NOTICE OF HEARING ON
)	
vs.)	<input type="checkbox"/> APPLICATION TO
)	<input type="checkbox"/> SET ASIDE / VACATE JUDGMENT OF
)	GUILT AND DISMISS CHARGES
)	<input type="checkbox"/> RESTORE CIVIL RIGHTS
<hr/>)	<input type="checkbox"/> RESTORE RIGHT TO POSSESS OR
Defendant)	CARRY A GUN OR FIREARM
<hr/>)	<input type="checkbox"/> PETITION TO DESIGNATE OFFENSE

Defendant having filed an Application to Set Aside / Vacate Judgment of Guilt and Dismiss Charges and/or Restore Civil Rights and/or Restore Right to Possess or Carry a Gun or Firearm,

OR

Adult Probation Department having filed a Petition to Designate Offense,

IT IS ORDERED setting a hearing on this matter on:

_____, 20____, at _____, A.M./P.M.
before the Honorable _____, Div. _____

at: <input type="checkbox"/> Yavapai County Courthouse 120 South Cortez Prescott, AZ 86303	<input type="checkbox"/> Camp Verde Superior Court 2840 N. Commonwealth Drive Camp Verde, AZ 86322
--	--

Date

Judge of the Superior Court

<input type="checkbox"/> County Attorney (e) <input type="checkbox"/> APD (e) <input type="checkbox"/> VS (e) TOTAL _____	<input type="checkbox"/> Defendant/Atty <hr/> <hr/> <hr/>
---	--