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Scottsdale City Court • 3700 N 75th Street Scottsdale, AZ 85251 • (480) 312-2442

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Fax: (480) 312-2764 • [court@scottsdaleaz.gov](mailto:court@scottsdaleaz.gov) • [www.ScottsdaleAZ.gov/Court](http://www.ScottsdaleAZ.gov/Court)  
ORI: AZ007111J • Maricopa County, Arizona

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### **Application to Set Aside Conviction (FOR CRIMINAL CONVICTIONS ONLY)**

In accordance with Arizona Revised Statute (A.R.S.) §13-905, this application may be submitted to the Court for review of a criminal conviction. The application may be submitted once the person convicted of the criminal offense has fulfilled the conditions of probation or sentence and discharge by the Court. If the Judge grants the application, the judgment of guilt is set aside and reported to the Motor Vehicle Division and/or the Department of Public Safety in accordance with the statute.

### **Criminal convictions that are not eligible:**

Not all criminal offenses are eligible to be set aside. Examples include: dangerous offenses, offenses which the person is required or ordered by the Court to register pursuant to section 13-3821, offenses which have a finding of sexual motivation pursuant to section 13-118, an offense in which the victim is a minor under fifteen years of age, or an offense in violation of section 28-3473, any local ordinance relating to stopping, standing or operation of a vehicle or title 28, chapter 3, except a violation of section 28-693 or any local ordinance relating to the same subject matter as section 28-693. For a complete review of non-eligible charges please review A.R.S. §13-905K.

It is the applicant's responsibility to ensure the Prosecutor's office receives a copy of your filing. After the opposing party has had an opportunity to review your motion and respond, the Judge will review and rule within 2-3 weeks.

### **Instructions for filing form**

- 1) Complete all necessary information on the form.
- 2) Save the form and file it with the Court.

### **If filing by email:**

Attach the completed form and send to [court@scottsdaleaz.gov](mailto:court@scottsdaleaz.gov).

Only Word and PDF documents will be accepted. Photos (.jpeg or other photo files) will not be accepted.

### **If filing by fax:**

Fax the completed form to Scottsdale City Court at (480) 312-2764.

### **If filing by mail:**

Mail the completed form to Scottsdale City Court, 3700 North 75<sup>th</sup> Street, Scottsdale, Arizona 85251.

### **If filing in person:**

Bring the completed form to the Court, take a number in the lobby and wait for a Clerk to assist you or you may place your filing in the drop box.

It is the filer's responsibility to ensure the Court is in receipt of your filing. All responses will be sent via USPS mail to the last address on file.



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<b>STATE OF ARIZONA</b>  <b>VS.</b>  _____	<b>Case#</b>  _____  <b>Complaint#</b>  _____	
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**APPLICATION TO SET ASIDE JUDGMENT**  
**(CRIMINAL CONVICTIONS ONLY)**

*(Petición para Anular un Fallo de Culpabilidad – Solo Condenas Penales)*

This application is made in conformance with the Arizona Revised Statutes and is addressed to the judge who pronounced sentence or imposed probation or said judge's successor. *(Esta petición se realiza conforme a las leyes vigentes de Arizona y se dirige al juez quien pronuncia la pena o impuso un periodo de libertad vigilada o a su sucesor).*

**Applicant** \_\_\_\_\_ **Address** \_\_\_\_\_ **Apt#** \_\_\_\_\_  
*(Solicitante) (Domicilio) (# de Departamento)*

**City/State/Zip** \_\_\_\_\_ **Telephone** \_\_\_\_\_  
*(Ciudad/Estado/Código Postal) (Teléfono)*

**Applicant is:**     **Defendant**     **Attorney for Defendant**  
*(Solicitante es el/la): (Acusado/a) (Abogado Defensor)*

**Date of Violation/Arrest:** \_\_\_\_\_ **Date of Conviction:** \_\_\_\_\_ **Defendant's Date of Birth:** \_\_\_\_\_  
*(Fecha de Violación/Arresto) (Fecha de Imposición del fallo) (Fecha de Nacimiento)*

**Charge(s)/Offense(s):** \_\_\_\_\_  
*(Cargo(s)/Delito(s))*

**Sentence Imposed:** \_\_\_\_\_  
*(Imposición de la Pena)*

The undersigned states that Defendant has fulfilled the conditions of probation or sentence and was discharged by the Court. *(El suscrito declara que el acusado ha cumplido con todas las condiciones de su libertad vigilada o pena y este tribunal lo exonero de toda obligación.)*

**Defendant in connection with the above-captioned case, prays as follows, THAT:**

*(El Acusado solicita a este tribunal en relación con el caso del encabezado anterior que tome en consideración lo siguiente):*

- 1. The judgment of guilt be set aside.** *(Anular el fallo de culpabilidad)*
- 2. That citation or complaint against the defendant be dismissed.** *(Desechar la demanda o el cargo contra el Acusado)*
- 3. Defendant be released from all penalties and disabilities resulting from the conviction, EXCEPT that the conviction may be pleaded and proved in any subsequent prosecution of Defendant for any offense as if the judgment of guilt had not been set aside.** *(Exonerar el acusado de todo castigo y ramificaciones causados por el fallo de culpabilidad, EXCEPTO que el fallo y pudiese ser declarado o probado culpable en cualquier proceso penal del Acusado por cualquier delito como si el fallo condenatorio no hubiese sido anulado)*

**DATED:** \_\_\_\_\_  
*(Fecha)*

\_\_\_\_\_  
*Defendant/Attorney for Defendant (El Acusado/Abogado Defensor)*

**AUTHORIZED:** \_\_\_\_\_  
*(Autorizado/a) Defendant (El acusado)*



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**ORDER**

The Court, having read the foregoing application, and in accordance with ARS § 13-905:

**IT IS ORDERED:**

- Granting the Application and further ordering:
  1. That the judgment of Defendant's guilt be set aside.
  2. That citation or complaint against defendant is dismissed.
  3. Defendant be released from all penalties and disabilities resulting from the conviction other than those imposed by ARS § 28-3304, 28-3306, 28-3307, 28-3308, 28-3319, 17-314, or 17-340 as if the judgment had not been set aside.
- Denying the Application.
  - This case cannot be set aside pursuant to ARS § 13-905(K).
  - All conditions of probation or sentencing have not been fulfilled.
  - Other: \_\_\_\_\_

DATED: \_\_\_\_\_

JUDGE: \_\_\_\_\_