

For Clerk's Use Only

IN THE GILBERT MUNICIPAL COURT
(480) 635-7800, Voice 55 E. Civic Center Drive, STE 101, Gilbert, AZ 85296 (480) 635-7820 Fax
www.gilbertaz.gov/departments/court

STATE OF ARIZONA, Plaintiff

-vs-

Defendant (FIRST, MI, LAST)

Date of Birth

Applicant is: Defendant Attorney for Defendant

Probation Officer

CASE NUMBER: _____

**APPLICATION TO SET ASIDE
CONVICTION**

A.R.S. § 13-905

Note: Includes application to restore
gun and firearm rights pursuant to A.R.S. §
13-905(J)

SECTION I. CONVICTION(S)

A Judgment of Guilt was entered in the _____ Court against me, the
defendant, on the _____ day of _____, _____, on the conviction of:

1. Count I: _____
2. Count II: _____
3. Count III: _____
4. Count IV: _____

Additional counts continue on a separate page.

SECTION II. SENTENCE COMPLIANCE

1. I was sentenced to: a term of probation the Department of Corrections
2. I completed the conditions of **probation**. The Probation Department's order discharging me from probation is attached to this application, if available.
3. I have complied with all required terms of the **sentence** (*including all probation, employment, classes, community service, victim restitution or other court ordered monetary obligations, drug/alcohol testing, or other requirements.*)
4. I have not complied with all terms of my sentence. Explain:

5. I received from the Arizona Department of Corrections a Certificate of Absolute Discharge from Imprisonment AND have attached a copy of that Certificate to this application, if available.
6. Have you paid victim restitution in full? Yes No
If not, a set aside of judgment will be denied without a showing of extraordinary circumstances. If you believe you have extraordinary circumstances, explain below. (*Attach documentation you think is relevant for the court's consideration.*)

7. Have you paid all other court-ordered monetary obligations in this case (criminal fines and fees) in full? Yes No
If not, please explain:

In some circumstances, you may be eligible to apply to the court to mitigate the amount owed or convert monies owed to community restitution.

SECTION III. PRIOR SET ASIDE(S)

1. Have you previously applied to set aside any conviction? Yes No
If so, what was the date of your last application? _____
2. Have you previously been granted a set aside? Yes No
3. Have you previously been denied a set aside? Yes No

SECTION IV. PENDING CASES AND ACTIVE WARRANTS

1. Are there any open criminal cases against you? Yes No
2. Do you have an active warrant? Yes No
If yes to either question above, please explain:
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SECTION V. OTHER INFORMATION FOR THE COURT

1. Is there anything you would like the court to consider?
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2. Attach any other information you would like the court to consider.

List attached documents:

3. The court may decide on this application without a hearing unless a hearing is requested by you, the prosecutor’s office, or the victim. *(Check the box below if you are requesting a hearing.)*

Hearing requested? Yes No

I understand that this application may be denied if information in this application is found to be inaccurate.

I understand that even if I am granted the right to possess a gun or firearm under Arizona law, it may not give me the right to possess a firearm under federal law.

I declare under penalty of perjury that the information provided in this application and any attachments is true and correct.

Applicant’s Name Printed

Applicant’s Signature

Address

AUTHORIZATION TO PROCEED ON BEHALF OF DEFENDANT

I authorize _____ [] Attorney, or [] Probation Officer to petition the

Superior Court in _____ County, to take the above-indicated action.

Date

Defendant’s Signature