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SUPERIOR COURT OF ARIZONA
IN MOHAVE COUNTY

STATE OF ARIZONA, Plaintiff

-vs-

_____
Defendant (FIRST, MI, LAST)

Date of Birth:_____

Case Number: _____

ORDER REGARDING APPLICATION TO SET ASIDE CONVICTION AND RESTORATION OF FIREARM RIGHTS
A.R.S. §§ 13-905 & 13-910

Based upon the information presented to the Court, **THE COURT FINDS THAT:** (only those items marked)

The prosecutor has received a copy of the Application to Set Aside Conviction.

☐ The defendant **has met** all statutory requirements for setting aside the conviction; AND
- ☐ The defendant **has met** all statutory requirements for a certificate of second chance.
- ☐ The defendant **has not met** all statutory requirements for a certificate of second chance.

☐ The conviction for which the defendant has applied to have set aside is for a serious offense as defined in A.R.S. § 13-706.

OR

☐ The defendant **has not met** all the statutory requirements for setting aside the conviction.

☐ The defendant was convicted of a criminal offense not eligible to be set aside due to:
- ☐ a dangerous offense.
- ☐ an offense for which the person is required or ordered by the court to register pursuant to A.R.S. § 13-3821.

☐ an offense for which there has been a finding of sexual motivation pursuant to A.R.S. § 13-118.

☐ a felony offense in which the victim is a minor under fifteen years of age.

IT IS ORDERED:

☐ **DENYING** the application to set aside conviction for the following reasons:

☐ The defendant **has not met** all statutory requirements for the application.

☐ The defendant was convicted of a criminal offense **not eligible** for a conviction to be set aside.

☐ Other reasons:

_____.

☐ **GRANTING** the application setting aside the judgment of guilt, dismissing the complaint, information, or indictment, and that the applicant be released from all penalties and disabilities resulting from the conviction **except those imposed by**:

a. The **Department of Transportation** pursuant to A.R.S. §§ 28-3304, 28-3305, 28-3306, 28-3307, 28-3308, 28-3312, and 28-3319.
b. The **Game and Fish Commission** pursuant to A.R.S. §§ 17-314 or 17-340.
c. A lifetime injunction issued pursuant to A.R.S. § 13-719.

☐ The defendant's right to possess a firearm is **NOT** restored by this Order because the conviction was for a serious offense as defined in A.R.S. § 13-706, and the defendant's right to possess a firearm cannot be restored through this Application.

Even if your right to possess and carry a firearm is restored under A.R.S. § 13-905(O), you may still be prohibited from possessing a firearm under other state or federal laws or based on other convictions.

CERTIFICATE OF SECOND CHANCE

IT IS FURTHER ORDERED:

☐ **DENYING** a certificate of second chance.

OR

☐ **GRANTING** a certificate of second chance, and accordingly, pursuant to A.R.S. § 13-905(M):

1. Unless specifically excluded by A.R.S. § 13-905, the defendant is released from all barriers and disabilities in obtaining an occupational license issued under title 32 that resulted from the conviction if the defendant is otherwise qualified;

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2. An employer of the defendant is provided with all of the protections that are provided pursuant to section A.R.S. § 12-558.03;
3. Another person or an entity that provides housing to the defendant is provided with all of the protections limiting the introduction of evidence that are provided to an employer pursuant to A.R.S. § 12-558.03(B); and
4. This certificate of second chance is not a recommendation or sponsorship for or a promotion of the defendant when applying for an occupational license, employment or housing.

DATED this _____ day of _____,_____.

_____

Judicial Officer