

IN THE _____ COURT OF _____, ARKANSAS
_____ DIVISION

STATE OF ARKANSAS

PLAINTIFF

vs. Case No. _____

(First, Middle, and Last name) DEFENDANT

**PETITION TO DISMISS AND SEAL OFFENSE IN PRE-ADJUDICATION
DRUG COURT PROCEEDING PURSUANT TO A.C.A. §16-98-303 {AND
TO SEAL SEPARATE PREVIOUS OFFENSE FROM ANOTHER COURT}**

Comes the Defendant and for his/her petition to dismiss and seal the record states:

1. The defendant was arrested on the _____ day of _____, _____, and charged with the offense(s) of:

A Class _____ felony misdemeanor in violation of A.C.A. § _____.

2. With the Defendant's consent and without entering a judgment of guilt, the Court deferred further proceedings and placed the Defendant on probation/court supervision.
3. The terms and conditions of Defendant's probation/court supervision required the successful completion of an approved drug court program.

4. On _____ the Defendant successfully completed the drug court program.
5. The Defendant has received aftercare programming.
6. The Defendant has no pending felony charge in any state or federal court; or
- The Defendant has one or more pending felony charge in state or federal court and the status of that/those charges is/are as follows:
- _____
- _____
7. The Defendant has paid all filing fees mandated by A.C.A §16-90-1419.
8. If applicable, on the _____ day of _____, _____, in case number(s) _____ in _____ County _____ Court the Defendant previously plead guilty or nolo contendere to or was found guilty of _____, in violation of A.C.A. § _____.
9. The offense(s) listed in Paragraph 8 above, if any, is/are a target offense as defined in A.C.A. § 16-93-1202(10)(A)(i).
10. The offense(s) listed in Paragraph 8 above, if any, is/are not:
- i. Residential burglary;
 - ii. Commercial burglary;
 - iii. Breaking or entering; or
 - iv. Fourth and/or subsequent offense of driving while intoxicated.
11. The Defendant has satisfactorily fulfilled the terms and conditions of probation/court supervision or has been released by the court prior to that time.

12. As evidenced by the signature below, the above information is true and correct to the best of Defendant's knowledge.

WHEREFORE, the Defendant, _____, prays this Court enter an Order Dismissing and Sealing the above-referenced case pursuant to A.C.A. §16-98-303.

FURTHER, if applicable, the Defendant, _____, prays this Court enter an Order Sealing case number(s) _____ from _____ County _____ Court pursuant to A.C.A. §16-98-303.

Defendant's Signature

Date

THE FOLLOWING INFORMATION IS REQUIRED FOR PROPER IDENTIFICATION OF THE DEFENDANT IN THE STATE AND NATIONAL RECORD SYSTEMS

Race _____	Arrest Tracking Number _____
Sex _____	SID No. _____
DOB _____	FBI No. (if known) _____

Certificate of Service

I, _____, do hereby certify that a true and correct copy of the foregoing Petition has been provided to either the Prosecuting Attorney for the County in which the Petition has been filed or to the City Attorney depending on which office prosecuted the case and the arresting agency by placing a copy of this Petition in the United States mail, postage prepaid, to said office or by hand delivering a copy to said office.

Defendant or Defendant's Attorney

Date

Defendant Address, Street: _____

City: _____ State: _____ Zip code: _____