

In the _____ Court of _____, Arkansas

_____ Division

State of Arkansas

vs.

Case No. _____

DEFENDANT

(First, middle, and last name)

Order to Dismiss and Seal under
Act 346 of 1975 ACA §16-93-301 through 303

Now on this _____ day of _____, _____, the Court having examined the petition to seal and other matters presented hereby finds:

1. That the defendant was arrested on the _____ day of _____, _____, and charged with the offense(s) of _____, in violation of A.C.A. § _____;

2. The defendant entered a plea of guilty or nolo contendere to the charge(s). (Cannot be a sexual offense as defined by ACA §5-14-101 et seq. and § § 5-26-202, 5-27-602, 5-27-603, and 5-27-605 in which the victim was under eighteen (18) years of age.) (Offense or plea date must be after March 10, 1975.)

3. Without making a finding of guilt or entering a judgment of guilt, with the consent of the defendant, the Court took the case under advisement and placed the defendant on probation for _____ (not less than one year).

4. **a.** The defendant was sentenced prior to July 31, 2007 to probation only. A fine or term of imprisonment was not imposed.

b. The defendant was sentenced after July 31, 2007 to probation and a fine of _____, (not more than \$3,500.00). A term of imprisonment was not imposed.

5. The defendant **(does)** or **(does not)** have felony charges pending in any state or federal court. If charges are pending, the current status

is

: _____.

6. Prior to the entry of this Order to Dismiss and Seal, this court has made or caused to be made a query of the Arkansas Crime Information Center and determined that the defendant has not previously been convicted of a felony and has not previously been granted probation under Act 346 of 1975, ACA 16-93-301 through 303.

7. Sentencing was done under the provisions of Act 346 of 1975 A.C.A. § 16-93-301 through 303, which provides for the deferring of proceedings pending fulfillment of the conditions of probation.

8. The Defendant has fulfilled the terms and conditions of probation or has been released by the court prior to that time. The defendant has demonstrated rehabilitation.

It is therefore considered, ordered and adjudged that the defendant has been rehabilitated and this case is discharged and dismissed and the record expunged and sealed to all except those authorized by law to have access.

The Court Clerk is directed to mail a copy of this order to the Arkansas Crime Information Center, to the Administrative Office of the Courts, to the arresting agency, and to the prosecuting attorney. Those agencies shall enter this order and seal all records maintained by them relating to the offense(s).

Signature of Judge

Type or print name of Judge

Date

Race _____ Arrest Tracking No. _____

Sex _____ SID No. _____ (if known)

DOB _____ FBI No. _____ (if known)