

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_, ARKANSAS  
\_\_\_\_\_ DIVISION

STATE OF ARKANSAS

PLAINTIFF

vs. Case No. \_\_\_\_\_

\_\_\_\_\_  
(First, Middle, and Last name) DEFENDANT

**PETITION TO DISMISS AND SEAL FIRST OFFENDERS UNDER  
ACT 346 of 1975 ACA §16-93-301 through 303 and ACT 1460 OF 2013  
A.C.A.16-90-1401, Et. Seq.**

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. The defendant entered a plea of guilty or nolo contendere to the offense(s) of: \_\_\_\_\_, in violation of A.C.A. § \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

3. The offense was not a sexual offense as defined by ACA §5-14-101 et seq. nor was it a serious felony involving violence nor a felony involving violence as provided in ACA §5-4-501.
4. The offense or plea date was after March 10, 1975.
5. Prior to the date listed in Paragraph 2 above, the defendant had not been convicted of a felony.
6. With the Defendant's consent and without entering a judgment of guilt, the Court deferred further proceedings and placed the Defendant on probation for a period of \_\_\_\_ year(s) but not less than one (1) year.
7.
  - a. The Defendant was sentenced prior to July 31, 2007, to probation only. A fine or term of imprisonment was not imposed; or
  - b. The defendant was sentenced after July 31, 2007, to probation and a fine of \_\_\_\_\_, but not more than \$3,500.00.
8. A term of imprisonment was not imposed on the Defendant.
9. The Defendant was sentenced under the provisions of Act 346 of 1975, A.C.A. § 16-93-301 through 303, which provides for the deferring of proceedings pending the defendant's conduct under the conditions of probation.
10. The Defendant has not previously been granted relief pursuant to Act 346 of 1975.
11. The Defendant has satisfactorily fulfilled the terms and conditions of probation or has been released by the court prior to that time. The Defendant has been rehabilitated.

12.  Defendant has no pending felony charges in any state or federal court; or  
 Defendant has one or more pending felony charges in state or federal court and the status of that/those charges is/are as follows: \_\_\_\_\_  
\_\_\_\_\_
13. The Defendant has paid all filing fees required to be paid with the filing of this Petition mandated by A.C.A §16-90-1419.
14. As evidenced by my 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. §16-93-301, et seq.

\_\_\_\_\_  
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) \_\_\_\_\_

VERIFICATION

STATE OF ARKANSAS

COUNTY OF \_\_\_\_\_

Comes the Petitioner, \_\_\_\_\_, under oath and states that the foregoing Petition is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Petitioner

Subscribed and sworn to before me on this \_\_\_\_\_,  
day of

\_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

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: \_\_\_\_\_