

IN THE _____ COURT OF _____, ARKANSAS
_____ DIVISION

STATE OF ARKANSAS

PLAINTIFF

vs. Case No. _____

(First, Middle, and Last name) DEFENDANT

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

Before the Court is the petition of the Defendant to seal his/her record pursuant to A.C.A. § 16- 98-303. The Court finds and Orders as follows:

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 plead guilty or nolo contendere to or was found guilty of _____, in violation of A.C.A. § _____, on the _____ day of _____, _____.

3. The Defendant was placed on probation for a period of _____ months.

4. The terms and conditions of Defendant's probation included the requirement that the Defendant successfully complete an approved drug court program.

5. The Defendant has successfully completed a drug court program.
6. The Defendant has received aftercare programming.
7. The prosecuting attorney has recommended to the Court that the above referenced case and record be sealed.
8. The Defendant has no pending felony charges in any state or federal court; or
 The Defendant has one or more pending felony charges in state or federal court and the status of that/those charges is/are as follows:

9. 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. § _____.
10. The offense(s) listed in Paragraph 9 above, if any, is/are a target offense as defined in A.C.A. § 16-93-1202(10)(A)(i).
11. The offense(s) listed in Paragraph 9 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.
12. The Defendant has satisfactorily fulfilled the terms and conditions of probation/court supervision or has been released by the court prior to that time.
13. The Defendant has paid all filing fees mandated by A.C.A §16-90-1419.
14. The defendant **HAS** or **HAS NOT** been rehabilitated.
15. The Court has considered the defendant's prior criminal history and has determined that dismissal of the case and sealing of the record is appropriate.

IT IS, THEREFORE, by the Court, ORDERED that the Petition of the Defendant, _____, to Dismiss and Seal the Record in the above-referenced matter pursuant to A.C.A. §16- 98-303, should be, and hereby is GRANTED.

IT IS FURTHER ORDERED, if applicable, that the Petition of the Defendant to enter an Order Sealing case number(s) _____ from _____ County _____ Court pursuant to A.C.A. §16- 98- 303 is hereby GRANTED if concurred to by the Judge of said Court as evidenced by the Judge's signature below .

IT IS FURTHER ORDERED that the Clerk is directed to mail or transmit a certified copy of the ORDER to the Arkansas Crime Information Center, the Administrative Office of the Courts, the prosecuting attorney and/or city attorney, the District Court Clerk, if applicable, and the arresting agency. Each of those agencies shall comply with the requirements of A.C.A. §16- 90-1413 as it pertains to them.

Judge

Date

Concurred in the Order Sealing case number(s) _____ from _____ County _____ Court

Judge

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) _____