_____ COURT OF WASHINGTON FOR _____	
_____ Plaintiff vs. _____ Defendant.	No._____ **MOTION AND DECLARATION FOR ORDER VACATING CONVICTION (MTAF)**

I. MOTION

DEFENDANT asks the court for an order vacating his or her conviction of misdemeanor or gross misdemeanor offenses. This motion is based on RCW 9.96.060, the case record and files, and the declaration of defendant.

Dated: _____

_____
Defendant/ Defendant's Attorney/ WSBA #

_____
Print Name

II. DECLARATION OF DEFENDANT

I, _____, state as follows:

2.1. On _____(date) I was convicted of the following offense(s):

Cause No: _____Count No: ____ Offense: _____

Cause No: _____Count No: ____ Offense: _____

Cause No: _____Count No: ____ Offense: _____

2.2 There are no criminal charges pending against me in any court of this state or another state, or in any federal court (RCW 9.96.060(2)(a));

2.3 The offense for which I was convicted is **not** one of the following offenses (RCW 9.96.060(2)(b)-(d)):

Driving while under the influence ("DUI"), RCW 46.61.502
Actual physical control while under the influence, RCW 46.61.504
Operating a railroad, etc. while intoxicated, RCW 9.91.020

A violation of chapter 9A.44 RCW (sex offenses)
A violation of chapter 9.68 RCW (obscenity and pornography)
A violation of chapter 9.68A RCW (sexual exploitation of children)
A violent offense as defined in RCW 9.94A.030 or an attempt to commit a violent offense

2.4 ☐ The offense for which I was convicted does **not** involve domestic violence and it has been at least three years since I completed the terms and conditions of the sentence, including restitution/legal financial obligations. RCW 9.96.060(2)(f).

Or

☐ The offense for which I was convicted **does** involve domestic violence and I have complied with the following conditions (RCW 9.96.060(2)(e)):

- ☐ I provided the prosecuting attorney's office that prosecuted the offense with written notice of this petition. RCW 9.96.060(2)(e)(i).
- ☐ I filed the original notice with this court. RCW 9.96.060(2)(e)(i).
- ☐ I have not been convicted of any other domestic violence offense arising out of any other incident. RCW 9.96.060(2)(e)(ii).
- ☐ It has been at least five years since I completed the terms and conditions of the sentence, including restitution/legal financial obligations and successful completion of any treatment ordered. RCW 9.96.060(2)(e)(iv).

2.5 I have not been convicted of any new crime in this state, another state, or federal court since I was convicted in this matter. RCW 9.96.060(2)(g).

2.6 I have never had the record of another conviction vacated. RCW 9.96.060(2)(h).

2.7 I am not currently and have not been restrained within the last five years by a domestic violence protection order, a no-contact order, an antiharassment protection order, or a civil restraining order which restrains one party from contacting the other party. RCW 9.96.060(2)(i).

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is, to the best of my knowledge, true and correct.

Signed on _____, at _____, Washington.

_____
Defendant

_____
Print Name

_____
Address

_____