

STATE OF MICHIGAN JUDICIAL CIRCUIT JUDICIAL DISTRICT	APPLICATION TO SET ASIDE CONVICTION	CASE NO.
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ORI _____ Court address _____ Court telephone no. _____
MI- _____
Police Report No. _____

THE PEOPLE OF

The State of Michigan

v

Defendant's name, address, and telephone no.

CTN/TCN	SID	DOB
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Defendant's attorney, bar no., address, and telephone no.

1. On _____ I was convicted of _____. A certified copy of the conviction is attached.
Date Offense
2. I **request** that the court issue an order to set aside the above conviction as provided by law. I consent to use of the nonpublic record created by MCL 780.623 to the extent authorized by MCL 780.623.
3. No other application has been filed to set aside this conviction. **OR**
 An application was previously filed to set aside this conviction on _____. The application was disposed
Date
of as follows: _____.
4. No other application has been filed to set aside another conviction. **OR**
 An application was previously filed in this court the _____ Court to set aside a
conviction for _____, in addition to the conviction in item 1. The application was disposed
of as follows: _____.
5. At least five years have passed since sentence was imposed or discharge from imprisonment, probation, or parole for this conviction, whichever is later.
6. I have not had any convictions deferred and dismissed. I have had the following conviction(s) deferred and dismissed:
_____.
7. There are no other criminal charges pending against me. There are criminal charges pending against me in the
_____ Court, case number _____.
8. I have not been convicted of more than one felony and two misdemeanors as defined in MCL 780.621.

Applicant Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____
Date Deputy clerk/Notary public

Notary public, State of Michigan, County of _____

**APPLICATION TO
SET ASIDE CONVICTION**

CASE NO: _____

The hearing cannot be held until the court receives the Michigan State Police report required by MCL 780.621(9).

NOTICE OF HEARING

TO: Michigan Attorney General and _____
Prosecuting official

A hearing will be held on the above application to set aside conviction on _____ at _____
Date Time
at _____ before _____
Location Judge Bar no.

PROOF OF SERVICE

I certify that copies of this application, certified record of conviction, and notice of hearing were served on the

prosecuting official on _____ by first-class mail addressed to the last-known address.
Date

Attorney General on _____ by first-class mail addressed to the last-known address.
Date

I certify that copies of this application, certified record of conviction, and the fingerprint card, accompanied by the required fee, were served on the Michigan State Police on _____ by first-class mail addressed to the last-known address.
Date

Date

Applicant/Attorney signature

INSTRUCTIONS:

1. Determine whether you are eligible to apply to have your conviction set aside according to MCL 780.621. You must complete a separate application for each conviction if you are applying to have more than one conviction set aside.
2. Find out the exact date of conviction and the charge from the court. Get a certified copy of the conviction.
3. Swear to the truth of the statements in this application and then sign it in the presence of the court clerk or a notary public.
4. Make four copies of all attachments and this application. Take all copies to the court clerk.
5. Depending on local practice, the clerk of the court may set a hearing date at the time of filing. If a hearing date is set at the time of filing, the clerk of the court will complete the Notice of Hearing.
6. Go to the local law enforcement agency for a fingerprint card and get fingerprinted on the applicant card (R 1-8). There may be a fee for fingerprinting. Fill out the card completely.
7. Make out a money order or check to the State of Michigan for the application. The application fee is \$50.00. This fee is sent with the application packet to the Michigan State Police for processing.
8. Mail a copy of the application packet, application fee, and the fingerprint card to the Michigan State Police by first-class mail to Michigan State Police, Criminal Justice Information Center - Criminal History, PO Box 30266, Lansing, Michigan 48909.
9. Mail a copy of the application packet to the Attorney General of the State of Michigan by first-class mail to Office of the Attorney General, Criminal Appellate Division, PO Box 30217, Lansing, Michigan 48909.
10. Mail a copy of the application packet to the correct prosecuting official where the conviction occurred (county, city, or township) by first-class mail. See www.michiganprosecutor.org/about-us-menu/prosecutor-directory for the addresses of county prosecutors.
11. On both copies of the application, fill in the Proof of Service on the back of the form. After you fill out and sign the Proof of Service, mail or take one of the remaining application packets with the completed Proof of Service to the court. Keep the other copy of the application packet for your records.

For additional instructions, visit michiganlegalhelp.org.