

TWENTY-FIFTH JUDICIAL DISTRICT COURT

PARISH OF PLAQUEMINES

STATE OF LOUISIANA

No. _____

Division: _____

State of Louisiana

Versus

(First Name Middle Name Last Name)

Filed: _____

Deputy Clerk: _____

**MOTION TO SET ASIDE CONVICTION AND DISMISS THE PROSECUTION
PURSUANT TO LOUISIANA CODE OF CRIMINAL PROCEDURE
ARTICLE 894 / 893 [Circle One]**

NOW INTO COURT, comes _____, and moves the
(First Name Middle Initial Last Name)
the Court to grant the defendant all of he benefits of Article 893 / 894 of the Louisiana Code of
Criminal Procedure, and to set aside his/her conviction for R.S. _____, namely
(Statute)
_____, and dismiss the prosecution, for the following reasons and
(Law Violated)

pursuant to the following guidelines:

- I. On _____, the defendant plead guilty to _____
(Date of Offense)
count(s) R.S. _____, namely _____,
(Statute) (Law Violated)
pursuant to Article 893 / 894 of the Louisiana Code of Criminal Procedure.
- II. Defendant has fulfilled all of the requirements of his probation.
- III. Defendant has concluded his probationary period and has not been convicted of any other offense during this period and there are no charges currently pending against him.
- IV. As noted below, the District Attorney for the Parish of Plaquemines, through its duly authorized Assistant District Attorney, has stated that the District Attorney for the Parish of Plaquemines has no objection to the granting of the motion.

WHEREFORE, defendant, _____, prays and moves
(First Name Middle Initial Last Name)
that after due proceedings had, this Honorable Court order the conviction for R.S. _____,
(Statute)
namely _____, in this cause be set aside and the prosecution
(Law Violated)
dismissed in accordance with Article 893 / 894 of the Louisiana Code of Criminal Procedure.

If represented by counsel:

Respectfully submitted,

Attorney for Defendant

Address

City, State, Zip Code

Telephone Number

If not represented by counsel:

Mover

Mover's Address

City, State, Zip Code

Mover's Telephone Number

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STATE OF LOUISIANA**

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(First Name Middle Name Last Name)

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ORDER

CONSIDERING THE FOREGOING Motion to Set Aside Conviction and Dismiss the Prosecution,

IT IS ORDERED that the defendant's guilty plea is hereby set aside and dismissed.

Belle Chasse, Louisiana, this _____ day of _____, 20____.

JUDGE

PLEASE SERVE:

The Honorable Charles J. Ballay, District Attorney, Parish of Plaquemines, 301-A Main Street, Belle Chasse, LA 70037

The Honorable Dorothy Lundin, Clerk of Court, Parish of Plaquemines, 301 Main Street, Belle Chasse, LA 70037

The Honorable I.F. "Jiff" Hingle, Sheriff, Parish of Plaquemines, 302 Main Street, Belle Chasse, LA 70037

Administrator, Louisiana Department of Public Safety & Corrections, Office of the State Police, Criminal Records Unit, P.O. Box 66614, Baton Rouge, LA 70896-6614

Federal Bureau of Investigation, Criminal Justice Investigation, Service Division, ATTN: Expungement Unit, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306

Attorney for Defendant and/or Defendant _____

Arresting Agency (if other than Plaquemines Parish Sheriff's Office) listed below:
