

OR

A copy of the petition in this matter was provided to the Prosecutor.

AND

The Prosecutor timely responded to the petition.

The Prosecutor has not responded to the petition and 45 days have elapsed since a copy of the petition was provided.

The subject of the petition timely replied to the Prosecutor's response.

Pursuant to A.R.S. § 36-2862(B)(3), the subject of the petition is entitled to expungement of the requested records because the State **has not** met its burden by clear and convincing evidence.

Pursuant to A.R.S. § 36-2862(B)(3), the State **has** established by clear and convincing evidence that the subject of the petition is not entitled to expungement of the requested records for the following reason(s):

II. THEREFORE, IT IS ORDERED (*Check one*):

- A. DISMISSING the petition for lack of sufficient information. A new petition may be filed with additional information.
- B. DENYING the petition.
- C. GRANTING the petition.

(1) IT IS FURTHER ORDERED, in accordance with A.R.S. § 36-2862

Expunging any record of the arrest, charge, conviction, adjudication and sentence identified above.

Transmitting a copy of this Order to the Arizona Department of Public Safety, the arresting law enforcement agency and prosecuting agency identified above, if applicable.

(If an expungement-eligible charge was filed, complete the following):

(2) IT IS FURTHER ORDERED,

- Vacating the judgment of conviction and any remaining terms of sentence that the subject of the petition has not yet completed in case number: _____ as to the following expungement-eligible charge(s) only:

(Check only those that apply)

- Count(s) _____, A.R.S. § 13-3405 Possession or use of marijuana, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3405(A) Possession or use of marijuana, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3405(A)(1) Possession or use of marijuana, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, ARS § 13-3405(A)(2) Possession of marijuana for sale, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate.
- Count(s) _____, A.R.S. § 13-3405(A)(3) Producing marijuana, of which was not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3405(A)(4) Transporting marijuana, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3408 Possession or use of cannabis, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3408(A) Possession or use of cannabis, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3408(A)(1) Possession or use of cannabis, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.
- Count(s) _____, A.R.S. § 13-3408(A)(2) Possession of cannabis for sale, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate.

Count(s) _____, A.R.S. § 13-3408(A)(4) Manufacturing cannabis, of which was not more than six marijuana plants.

Count(s) _____, A.R.S. § 13-3408(A)(7) Transporting cannabis, which involved two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate, or not more than six marijuana plants.

Count(s) _____, A.R.S. § 13-3415 Possession or use of drug paraphernalia related to marijuana.

Count(s) _____, A.R.S. § 13-3415(A) Possession or use of drug paraphernalia related to marijuana.

Count(s) _____, A.R.S. § 13-3415(B) Transporting, delivering or manufacturing with intent to deliver drug paraphernalia related to marijuana.

- Cancelling all outstanding court-ordered financial obligations attached to the eligible charge(s), if applicable; and
- Sealing all court records relating to the expunged charge, adjudication, conviction or sentence, including the Petition to Expunge and related records, and permitting access only by the subject of the petition or that person's attorney.

(Check only those that apply):

The _____ Justice Court shall seal all case records relating to the eligible charge(s) in Justice Court case number: _____.

The Probation Department shall seal all probation records relating to the eligible charge(s).

Quashing all outstanding warrants issued in this case.

OR

Quashing all outstanding warrants issued in this case and reissuing a warrant as to the counts not expunged by this Order.

(Check one):

The subject of the petition **is restored** the subject's civil rights including the right to possess a firearm, as to this case only. **PLEASE NOTE: Even if you are granted the right to possess a firearm pursuant to this Order you may still be prohibited from possessing a firearm under other state or federal laws or as a result of another case.**

The subject of the petition **is not restored** the subject's civil rights including the right to possess a firearm because the Court finds there is an ineligible conviction under this case number.

Dated this _____ day of _____, _____

Judicial Officer