

**TWELFTH JUDICIAL DISTRICT COURT**

**PARISH OF AVOYELLES**

**STATE OF LOUISIANA**

No. \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
(First Name Middle Name Last Name)

Versus

State of Louisiana

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  
(First Name Middle Initial Last Name)  
the Court to grant the defendant all of the 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 Avoyelles, through its duly authorized Assistant District Attorney, has stated that the District Attorney for the Parish of Avoyelles 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,

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Attorney for Defendant

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Address

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City, State, Zip Code

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Telephone Number

If not represented by counsel:

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Mover

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Mover's Address

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City, State, Zip Code

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Mover's Telephone Number

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\_\_\_\_\_  
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Deputy Clerk: \_\_\_\_\_

**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.

Marksville, Louisiana, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**JUDGE**

**PLEASE SERVE:**

The Honorable Charles A. Riddle III, District Attorney, Parish of Avoyelles, 417 North Main Street, Marksville, LA 71351

The Honorable Samuel G. Couvillion, Clerk of Court, Parish of Avoyelles, 312 North Mains Street, Courthouse Building, Marksville, LA 71351

The Honorable Doug Anderson, Sheriff, Parish of Avoyelles, 675 Government Street, Marksville, LA 71351

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 Avoyelles Parish Sheriff's Office) listed below:  
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