

1 IN THE MUNICIPAL COURT OF THE STATE OF OREGON
2 FOR THE COUNTY OF YAMHILL
3

4 City of McMinnville)

5 Plaintiff,)

6 v.)

7) Case No: _____
8)

9 _____)
10 Defendant,)

**DEFENDANT'S MOTION AND ORDER
OF DISMISSAL DUII DIVERSION**

11
12
13 **MOTION:** The above-named defendant hereby moves that the above-captioned matter be
14 dismissed. In support thereof, defendant certifies that he or she has:

- 15 • Successfully completed the DUII diversion program.
- 16 • Not violated any of the restrictions of the diversion period of one year.
- 17 • Paid all court fees and costs of treatment
- 18 • Not been arrested or charged in any other court with DUII or a comparable offense
19 in this or another state.
- 20 • Is otherwise qualified to have this case dismissed pursuant to ORS 813.250.

21
22 A copy of this motion will be served upon the city prosecutor at the time of filing of this
23 motion with the understanding that if the city prosecutor objects, said objection will be filed
24 with the court within 21 days of service of the motion. If there is an objection, the motion will
25 be set for a hearing and defendant will appear. If there is no objection, the motion will be
26 considered without a hearing.
27

28 _____
29 **Date**

Signature of defendant

30
31
32 Subscribed and sworn before me on the _____ day of _____, 20____.

33
34
35 _____
36 Signature of notary public

37 My commission expires: _____
38
39
40
41



42
43 **IT IS THEREFORE ORDERED** that the above-entitled matter hereby is DISMISSED with
44 prejudice.

45
46 **IT IS FURTHER HEREBY ORDERED** that security, if any, being held in the above-entitled matter
47 be and the same hereby is EXONERATED or applied to obligations in this or other cases
48 before the court.
49

50 _____
51 **Date**

McMinnville Municipal Court Judge

52 **DEFENDANT'S MOTION AND ORDER OF DISMISSAL DUII DIVERSION**