SUPERIOR COURT OF WASHINGTON

FOR SNOHOMISH COUNTY

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| THE STATE OF WASHINGTON, |  |  |
| Plaintiff, |  | No. [Cause No] |
| v. |  |  |
|  |  | ORDER VACATING CONVICTION  AND DISMISSING CHARGE(S)—  AT LEAST ONE COUNT REMAINS  **[ ] DOC CUSTODY/ SUPERVISION**  **[X] CLERK’S ACTION REQUIRED** |
| [Last], [First] [Middle], |  |
| Defendant. |  |

THIS MATTER having come on regularly upon the motion of the Defendant for an order vacating conviction and dismissing charges, and it appearing from the affidavit, files and records herein that such dismissal is in order, Now Therefore,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

1. The conviction entered against the defendant on the judgment and sentence filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is constitutionally defective pursuant to CrR 7.8(b) and State v. Blake and is hereby vacated;

2. The charge(s) of POSSESSION OF A CONTROLLED SUBSTANCE contained in the Information filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, against the above-named defendant, is hereby dismissed with prejudice. All convictions on other counts remain in full force and effect under this order.

3. The Clerk of the court shall immediately transmit a copy of this order vacating the conviction to the Washington State Patrol Identification Section and to the local police agency, if any, which holds criminal history information for the person who is the subject of the conviction. The Washington State Patrol and any such local police agency shall immediately update their records to reflect the vacation of the conviction, and shall transmit the order vacating the conviction to the Federal Bureau of Investigation as required by RCW 9.96.060(7);

4. The defendant may be entitled to a refund of legal financial obligations paid pursuant to the judgment vacated herein. The clerk shall determine if the defendant has paid a VUCSA fine pursuant to RCW 69.50.430 (or its predecessor statutes). Any VUCSA fine actually paid shall be the LFO Refund Amount. To the extent there is an LFO Refund Amount, it shall be refunded. The State of Washington shall determine the method of any refund herein with all deliberate speed.

DATED THIS this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUDGE

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| --- | --- |
| Presented by:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defendant Signature  Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Approved for Entry:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  , WSBA No:  Deputy Prosecuting Attorney |

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| **Defendant ID and Contact Information** | | |
| SID No. | Date of Birth   [DOB] | WA DOL No. |
| FBI No. | Local ID No. [Jail ID] | PCN No. |
| Alias name, DOB: | | |
| Address and email, phone, or other contact information (for refund purposes): | | |