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

Name

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

Mailing Address

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

City State Zip Code

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

Phone Number

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

E-mail Address *(optional)*

☐ **MONTANA \_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_\_\_\_\_\_\_\_ COUNTY**

☐ **IN THE JUSTICE COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, STATE OF MONTANA**

☐ **IN THE MUNICIPAL OR CITY COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, MONTANA**

|  |  |
| --- | --- |
| In re the Expungement, Resentencing, or Redesignation of the Marijuana-Related Conviction of  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Petitioner. | **Case No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_    **Proposed** Order Granting  ☐ Expungement of Conviction  ☐ Resentencing of Conviction  ☐ Redesignation of Conviction |

Petitioner has requested ☐ Expungement / ☐ Resentencing / ☐ Redesignation of a criminal conviction pursuant to the Montana Marijuana Regulation and Taxation Act (MMRTA).

On or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), Petitioner was convicted of the following offense:

☐ Criminal Distribution of Dangerous Drugs (marijuana),   
 in violation of § 45-9-101, MCA;

☐ Criminal Possession of Dangerous Drugs (marijuana),   
 in violation of § 45-9-102, MCA;

☐ Criminal Possession with Intent to Distribute (marijuana),   
 in violation of § 45-9-103, MCA;

☐ Criminal Production or Manufacture of Dangerous Drugs (marijuana),   
 in violation of § 45-9-110, MCA;

☐ Criminal Possession of Drug Paraphernalia (marijuana),   
 in violation of § 45-10-103, MCA;

☐ Manufacture or Delivery of Drug Paraphernalia (marijuana),   
 in violation of § 45-10-104, MCA;

☐ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (specify offense)

Petitioner is ☐ currently serving / ☐ has completed the sentence for this conviction.

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), Petitioner served the County Attorney of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County with the Petition. The County Attorney ☐ opposed / ☐ did not oppose this Petition.

This Court ☐ held / ☐ did not hold a hearing on this Petition.

IT IS THEREFORE ORDERED:

Pursuant to § 16-12-113(6), MCA, this Court GRANTS the Petition as follows:

☐ The above-described conviction is hereby EXPUNGED.

☐ The above-described conviction is hereby REDESIGNATED AS A MISDEMEANOR OFFENSE, specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , and Petitioner is RESENTENCED as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

☐ The above-described conviction is hereby REDESIGNATED AS A CIVIL INFRACTION, specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ,

and the conviction is redesignated as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Petitioner shall sent a copy of this Order to the Department of Justice, along with any necessary forms and fees to effectuate the ordered expungement, resentencing, or redesignation.

Dated this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

*(date)* *(month) (year)*

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

*(Judge’s signature)*