



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	Case Number:
State of Missouri, Plaintiff v.	DOC ID No.
_____, Defendant (First Name and Last Name)	(Date File Stamp)

PETITION TO VACATE, RELEASE, AND EXPUNGE – MARIJUANA RELATED OFFENSE(S)

COMES NOW the defendant in this matter, a person incarcerated for a marijuana offense eligible for relief under Article XIV of the Missouri Constitution, and requests the Court to vacate the defendant’s marijuana sentence, order immediate release from incarceration or other supervision on the marijuana sentence, and expunge all government records relating to the marijuana offense. In support of this request petitioner states as follows:

1. Defendant is incarcerated in this cause number in this facility:

_____ (name and address of prison, jail, or halfway house)

for a marijuana-related offense that is a misdemeanor or class E felony or class D felony involving three pounds or less of marijuana, or a successor designation.

2. The offense would not have been a crime or would have been a lesser offense had sections 1 and 2 of Article XIV of the Missouri Constitution been in effect at the time of the offense.

3. Pursuant to Article XIV, Section 2, Subsection 10(7)(iii) of the Missouri Constitution I am petitioning this sentencing court to vacate my sentence(s), order my immediate release from incarceration or other supervision, and issue an order to expunge all governmental records pertaining to this case, including, but not limited to, my record of arrest, plea, trial, conviction(s), or incarceration for the eligible marijuana offenses in this cause number.

WHEREFORE, Defendant requests the Court to vacate my sentence(s), order my immediate release from incarceration or other supervision, and issue an order to expunge all governmental records pertaining to this case, including, but not limited to my record of arrest, plea, trial, conviction(s), or incarceration for the eligible marijuana offenses in this cause number.

Respectfully Submitted,

Pro se Defendant Signature

Street Address: _____

Street Address: _____

City: _____

State, ZIP Code: _____



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ORDER TO VACATE, RELEASE, AND EXPUNGE – MARIJUANA RELATED OFFENSE(S)

This section to be completed by the Court.

ORDER

On this _____ day of _____, 20____, the Court orders as follows:

IT IS HEREBY ORDERED:

Petitioner’s Petition to Vacate, Release, and Expunge – Marijuana-Related Offense(s) is GRANTED related to the above captioned case for all counts eligible under Article XIV, Section 2, of the Missouri Constitution. All other counts remain unchanged.

IT IS FURTHER ORDERED:

- Defendant is currently in the custody or under supervision of the Missouri Department of Corrections. It is ORDERED that the Defendant be released from custody, and all supervision be terminated immediately related to the above captioned case for all counts eligible under Article XIV, Section 2, of the Missouri Constitution. All other counts remain unchanged.
- All government records related to the above captioned case for all counts eligible under Article XIV, Section 2, or the Missouri Constitution be expunged. All other counts remain unchanged.

This ORDER will also serve as NOTICE and be sent to the following:

- Petitioner at last known address
- _____ County Sheriff’s Dept.
- Circuit Court Division _____
- _____ Municipal Police Dept.
- Municipal Division, City of _____
- Missouri Department of Corrections
- Missouri Highway Patrol (MSHP)
- Other (include name and address of agency)

- Criminal Justice Information Services (CJIS) Division
- Prosecuting Attorney(s)/Circuit Attorney(s) of _____
_____ County

SO ORDERED THIS DATE: _____

Judge