

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT 6th	APPLICATION TO SET ASIDE CONVICTION(S)	CASE NO. and JUDGE ☐ This application includes multiple case numbers as listed in item 1.
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ORI MI- Police Report No.	Court address 1200 N. Telegraph, Dept. 413, Pontiac, MI 48341	Court telephone no. (248) 858-0344
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THE PEOPLE OF
☒ The State of Michigan

☐ _____

Defendant's name, address, and telephone no.
 Joseph Hutchens
 385 Pine Creek Ct, Waterford, MI 48327
 (248) 943-5463

CTN/TCN	SID
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 Defendant's attorney, bar no., address, and telephone no.
 Stephen Rideout, Oakland County Clean Slate Program
 P38753
 2100 Pontiac Lake Road, Waterford, MI 48328
 (517) 281-5854

v

Use note: If you are asking to have an eligible conviction set aside under MCL 780.621(3) because the offense committed was a direct result of you being a victim of human trafficking, you must use form MC 227b.

If you are asking to have a misdemeanor marijuana conviction set aside under MCL 780.621e, you must use form MC 227a.

1. I **request** that the court issue an order to set aside the conviction(s) listed below as provided by law. I consent to use of the nonpublic record created by MCL 780.623 to the extent authorized by MCL 780.623. A certified copy of each conviction is attached. Use additional sheet(s) if more space is necessary.

CRIME	CHARGE CODE(S) MCL citation/PACC Code	DATE OF CONVICTION	CASE NUMBER
a. Embezzlement by agent or trustee	MCL 750.174(3)(a)	10/3/2017	2016-259676-FH
b.			
c.			
d.			

2. a. ☐ I am requesting more than one felony to be set aside. At least seven years have passed since sentence was imposed or discharge from imprisonment, probation, or parole for the convictions, whichever is later. I have not been convicted of any offense during that time.
- b. ☐ I am requesting one or more serious misdemeanor(s) to be set aside. At least five years have passed since sentence was imposed or discharge from imprisonment, probation, or parole for the conviction(s), whichever is later. I have not been convicted of any offense during that time.
- c. ☐ I am requesting only one felony to be set aside. At least five years have passed since sentence was imposed or discharge from imprisonment, probation, or parole for the conviction, whichever is later. I have not been convicted of any offense during that time.
- d. ☒ I am requesting one or more misdemeanor(s) to be set aside. None of the misdemeanors are a serious misdemeanor or for an assaultive crime. At least three years have passed since sentence was imposed or discharge from imprisonment or probation for the conviction(s), whichever is later. I have not been convicted of any offense during that time.

3. ☒ a. No other application has been filed to set aside a conviction listed in item 1.
☐ b. An application was previously filed to set aside the following conviction(s) listed in item 1:

CRIME	CHARGE CODE(S) MCL citation/PACC Code	DATE OF CONVICTION	CASE NUMBER	DISPOSITION

4. ☒ a. No other application has been filed to set aside any other conviction(s).
☐ b. An application was previously filed to set aside the following conviction(s) not listed in item 1:

CRIME	CHARGE CODE(S) MCL citation/PACC Code	DATE OF CONVICTION	CASE NUMBER	DISPOSITION

5. ☒ I have not had any convictions deferred and dismissed. ☐ I have had the following conviction(s) deferred
and dismissed: _____

6. There are no other criminal charges pending against me.

Subscribed and sworn to before me on 10/15/2021
Date

[Signature]
Applicant Signature

[Signature]
Deputy clerk/Notary public signature

My commission expires on 5/11/2028

Gabrielle Sharp
Name (type or print)

Notary public, State of Michigan, County of Wayne . ☐ Acting in the County of Oakland

☐ This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

The hearing cannot be held until the court receives the Michigan State Police report required by MCL 780.621(d)(8).

NOTICE OF HEARING

TO: Michigan Attorney General and _____
Prosecuting official

A hearing will be held on the above application to set aside conviction on _____
Date and time

at _____ before _____
Location Judge

PROOF OF SERVICE

I certify that copies of this application and certified record of conviction ☐ and notice of hearing were served on the

☐ prosecuting official on _____ by first-class mail addressed to the last-known address.
Date

☐ Attorney General on _____ by first-class mail addressed to the last-known address.
Date

I certify that copies of this application, certified record of conviction, and the fingerprint card, accompanied by the required fee, were served on the Michigan State Police on _____ by first-class mail addressed to the last-known address.
Date

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Applicant/Attorney signature