

COMMONWEALTH OF PENNSYLVANIA

VS

DEFENDANT

: IN THE COURT OF COMMON PLEAS
: INDIANA COUNTY, PENNSYLVANIA
:
: CRIMINAL DIVISION
:
: NO.
:

PETITION FOR PROBATION WITHOUT VERDICT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

AND NOW, comes _____ Esquire, Attorney for Petitioner, and respectfully represents as follows:

1. That your Petitioner resides at: _____
2. That your Petitioner is charged with: _____
under "The Controlled Substance, Drug, Device and Cosmetic Act" of 1972,
35 P. S. § 780-101 et seq.
3. That your Petitioner has not previously been convicted of an offense under this act or under any similar Act of the United States or any other State.
4. That "The Controlled Substance, Drug, Device and Cosmetic Act" provides for Probation Without Verdict to a person who has not been previously convicted of an offense under this Act or under any similar Act of the United States or any other State.
5. That your Petitioner requests that judgment not be entered against him/her and that further proceedings be deferred, and that he be placed on Probation for a specific time not to exceed the maximum for the offense, and upon such terms and conditions as the Court may require.
6. That your Petitioner further requests that, upon the dismissal of the proceedings, his/her criminal record be expunged in accordance with subsection 35 P. S . §780-117 and §780-119.

WHEREFORE, your Petitioner respectfully requests that this Honorable Court place him/her on Probation Without Verdict at the above-captioned number and term for a period of time not to exceed the maximum for the offense charged, and that his/her criminal record be expunged.

Attorney for Petitioner

COMMONWEALTH OF PENNSYLVANIA

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BEFORE ME, the undersigned officer, personally appeared _____.

Who, duly being sworn according to law, deposes and says that the facts set forth in the foregoing
Petition are true and correct to the best knowledge, information and belief.

The defendant, undersigned, waives his right under Pa. Rules of Criminal Procedure,
Rule 600 of his/her right to a speedy trial.

Sworn to and subscribed before me

this _____ day of _____, _____.

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JOINDER

I hereby consent to a hearing on the Petition for Probation Without Verdict in the above-captioned case.

Date

District Attorney

COMMONWEALTH OF PENNSYLVANIA

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: NO. _____
:

ORDER OF COURT

AND NOW, this _____ day of _____, upon consideration of the within Petition for Probation Without Verdict, it is hereby ORDERED AND DIRECTED that a hearing be scheduled in the above-captioned matter on the _____ day of _____, _____, at _____ M., in Courtroom No. _____, Indiana County Courthouse, Indiana, Pennsylvania.

BY THE COURT,

President Judge

COMMONWEALTH OF PENNSYLVANIA

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ORDER OF COURT

AND NOW, this _____ day of _____, _____, upon consideration of the
within Petition and upon Motion of _____, Attorney for defendant,
_____, be placed as follows:

Probation _____

Court Costs _____

Fine _____

Monthly Supervision Fee _____

Special Conditions: _____

_____.

AND that upon completion of the terms and conditions set forth by the Probation
Department of Indiana County, the proceedings against the defendant shall be dismissed and
the defendant discharged. Discharge and dismissal shall be without adjudication of guilt and
shall not constitute a conviction for any purpose whatever, including the penalties imposed for a
second and subsequent conviction.

Further, upon the defendant successfully fulfilling the terms and conditions of his/her probation, and the Court having dismissed the proceedings against the defendant, the Court finds that in accordance with "The Controlled Substance, Drug, Device and Cosmetic Act" of 1972, 35 P. S. §780-119, the records of the offense should be expunged and, therefore, IT IS ORDERED AND DIRECTED that the Clerk of Courts shall serve a certified copy of this Order upon the following persons, Keepers of records pertaining to the above-captioned Criminal proceedings:

1. District Attorney.
2. District Justice.
3. Pennsylvania State Police, Records Identification Section, Harrisburg, Pennsylvania.
4. Indiana County Probation Department.
5. District Court Administrator's Office.
6. Or any other Agency of the local, state or federal government, be destroyed, and that an Affidavit verifying that such records have been expunged and destroyed, together with a Copy of this Order to be filed in this Court within thirty (30) days after said records have been expunged and destroyed. IT IS FURTHER ORDERED AND DIRECTED that no copy of this Order of Expungement shall be retained by any office or agency which expunged and destroyed the records, but the same shall be returned to this Court together with the foregoing affidavits, which shall be placed under seal by the Prothonotary and Clerk of Courts of this County, and under no circumstances shall any person or agency be permitted to examine the foregoing sealed documents.

For the purpose of properly identifying the person whose records are to be expunged under this Order, the following information is set forth:

1. Name _____
2. Date of Birth _____
3. Social Security Number _____
4. Date of Arrest _____
5. _____ was arraigned in the Court of Common Pleas,
Indiana Pennsylvania at No. _____ CRIM _____.

IT IS FURTHER ORDERED AND DIRECTED that the Clerk of Courts is not to report this proceeding as a conviction to the Department of Transportation unless the Defendant fails to complete the program.

BY THE COURT:

President Judge