

IN THE MUNICIPAL COURT OF THE CITY OF WEST LINN
FOR THE COUNTY OF CLACKAMAS, STATE OF OREGON

THE STATE OF OREGON,)
Plaintiff,)
vs.)
)
_____,)
Defendant.)

Case No. _____

MOTION TO EXTEND THE DUII
DIVERSION PERIOD AND ORDER

I am the defendant in the above case and I request that the court extend my diversion agreement for _____ (insert time that is not longer than 180 days; however, if you are active military personnel, then insert time that will allow you to complete the diversion agreement). I offer the following information in support of this request:

1. I have made a good faith effort to complete the conditions of the diversion agreement.

a. I have completed the following conditions of the diversion agreement:

b. I have not completed the following conditions of the diversion agreement:

c. I have not completed the diversion conditions listed in “b” above because (explain):

2. I will be able to complete the conditions of the diversion agreement within the extended period because (explain): _____

3. I have not asked for or been granted any previous extension of the diversion agreement under ORS 813.225.

4. I understand that:

a. If I fully comply with the conditions of the diversion agreement within the extended diversion period, the court may dismiss the charge with prejudice if I file a motion under ORS 813.250.

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b. If I fail to comply with the diversion agreement within the extended diversion period, the court will enter a judgment of conviction on the DUII charge and proceed to sentence me without a trial.

5. ☐ (Please check this box if the following applies to you.) I am a member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States, or the National Guard. I have been called to active duty or received orders that I will be called to active duty. The military service will prevent me from completing the conditions of the diversion agreement and no comparable treatment program is available because (explain):

This motion and proposed order are respectfully submitted by:

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Defendant's Name (typed or printed)	Signature of Defendant	Date

<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Address	City	State	Zip	Telephone Number

ORDER

FINDING. The court finds the defendant named in the above motion ☐ (made) ☐ (did not make) a good faith effort to complete the conditions of the diversion agreement and that the defendant ☐ (can) ☐ (cannot) complete the conditions of the diversion agreement in the requested extended diversion period.

ORDER. The court ☐ (allows) ☐ (denies) the above motion for an order extending the diversion period in case number _____. If "allowed," this court orders the diversion period in this case extended for _____ (not longer than 180 days; however, if the defendant is active military personnel, then extend the diversion period as necessary for the defendant to complete the agreement) beginning on _____ and ending on _____.

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Name of Judge	Signature of Judge	Date