

<input type="checkbox"/> District <input type="checkbox"/> County Court _____ County, Colorado  Court Address: _____  <hr/> <b>THE PEOPLE OF THE STATE OF COLORADO,</b>  v.  <b>DEFENDANT:</b> _____	<b>▲ COURT USE ONLY ▲</b>  Case Number: _____  Division: _____ Courtroom: _____
<b>MOTION TO VACATE PREVIOUSLY WITHDRAWN GUILTY PLEA          PURSUANT TO §18-1-410.5, C.R.S.</b>	

I, \_\_\_\_\_ (defendant's name), am the defendant in the above captioned case.

Defendant's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

I successfully completed a deferred judgment and sentence on \_\_\_\_\_ and my guilty plea was withdrawn on \_\_\_\_\_.

or

The charges were dismissed pursuant to § 18-18-404(3), C.R.S, on \_\_\_\_\_.

I allege:

As a result of the guilty plea,

- I have suffered
- Am currently suffering, or
- Will suffer, an adverse immigration consequence, as described here, \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

and

The guilty plea was obtained in violation of the constitution or laws of the United States or of the state under one or more of the following grounds:

- I was not informed that the guilty plea would continue to result in adverse immigration consequences despite the subsequent withdrawal of the guilty plea and dismissal of the charges with prejudice,
- I was not adequately advised of the immigration consequences of the guilty plea, or
- The guilty plea was constitutionally infirm as follows: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Based on the information contained within this motion, I respectfully move the court to vacate the guilty plea that was previously withdrawn pursuant to the successful completion of the deferred sentence in this case.

By checking this box, I acknowledge I am filling in the blanks and not changing anything else on the form.

By checking this box, I acknowledge that I have made a change to the original content of this form.

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### VERIFICATION

**I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.**

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  
(date) (month) (year) (city or other location, and state OR country)

\_\_\_\_\_  
(Printed name of Defendant)

\_\_\_\_\_  
Signature of Defendant

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### CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_ (date) a true and accurate copy of this *Motion to Vacate Previously Withdrawn Guilty Plea Pursuant to §18-1-410.5, C.R.S.* was served on the Prosecuting Attorney by:

Hand Delivery  E-filed  Faxed to this number \_\_\_\_\_ or  by placing it in the United States mail, postage pre-paid, and addressed to the following:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant