Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Representing ☐ Self or ☐ Lawyer for _____
Lawyer's Bar Number: _____

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA
IN COCHISE COUNTY

STATE OF ARIZONA
-vs-

_____

Defendant (FIRST, MI, LAST)

Date of Birth: _____

Applicant is:
☐ Defendant
☐ Attorney for Defendant
☐ Probation Officer

Case Number: _____

APPLICATION TO:
(check all that apply)

☐ **RESTORE CIVIL RIGHTS**
(A.R.S. §§ 13-906, 13-907, and 13-908)

☐ **RESTORE FIREARM RIGHTS**
(A.R.S. § 13-910)

☐ **CERTIFY AUTOMATIC RESTORATION OF CIVIL RIGHTS**

☐ **] REQUEST FOR RECONSIDERATION**
(for applications previously denied)
☐ Civil Rights ☐ Firearm Rights

SECTION I. CONVICTION(S)

A Judgment of Guilt was entered in the _____ Court against the defendant on the _____ day of _____, _____, on the conviction of:

1. Count I: _____
2. Count II: _____
3. Count III: _____
4. Count IV: _____

☐ Additional counts continue on a separate page.

SECTION II. STATE CONVICTION (For federal convictions, see SECTION III.)

NOTE: If this is your first felony conviction in this or any other state, any civil rights lost or suspended by the conviction are automatically restored if you completed a term of probation or received an

absolute discharge from imprisonment and paid all victim restitution imposed; however, your right to possess and carry a firearm requires an application if it was not automatically restored. Refer to the **Note in Section VII** of this application.

1. ☐ The above stated judgment of guilt and conviction for a felony is my first felony conviction in this or any other state and this application is for restoration of right to possess and carry a firearm only.
   ☐ **Yes** ☐ **No.**
2. ☐ I received a certificate of absolute discharge from the **Arizona Department of Corrections** AND have attached a copy of that certificate to this petition, if available.

   OR

3. ☐ I was discharged from **probation** and I have complied with all required terms of my **probation** (including all employment, classes, community restitution, drug/alcohol testing, or other requirements other than court-ordered monetary obligations).

   OR

   ☐ I was discharged from **probation** and I have not complied with all terms of my **probation**. Explain:

   _____

   _____

   _____

   _____

SECTION III. FEDERAL CONVICTION (For state convictions, see SECTION II.)

4. ☐ A Judgment of Guilt was entered against the defendant in United States District Court for the District of _____on the _____ day of_____, _____.

   NOTE: If this is your first felony conviction in this or any other state, any civil rights lost or suspended by the conviction are automatically restored if you completed a term of probation or received an absolute discharge from imprisonment and paid all restitution imposed; however, your right to possess and carry a firearm requires an application if it was not automatically restored. Refer to the **Note in Section VII** of this application. This applies to federal first convictions as well.

5. ☐ The above stated judgment of guilt and conviction for a felony is **my first felony conviction** in this or any other state and this application is for restoration of right to possess and carry a firearm only. ☐ **Yes** ☐ **No.**
6. ☐ I was sentenced to a term of **federal probation**, received an Affidavit of Discharge from the judge who discharged me from probation or other official documentation that indicates successful discharge from probation, **AND** have attached a copy to this petition.

OR

☐ I was sentenced to and successfully **served a federal prison term** and received a Certificate of Absolute Discharge, or other official documentation that indicates successful discharge from imprisonment from the Federal Bureau of Prisons **AND** I have attached a copy of the certificate If it is impossible to obtain the Certificate of Absolute Discharge from the Federal Bureau of Prisons, please explain:

_____

_____

_____

_____

7. ☐ I have complied with all required terms of **probation** (including all employment, classes, community restitution, victim restitution or other monetary obligations, drug/alcohol testing, or other requirements.)

OR

☐ I have **not complied** with all terms of probation. Explain:

_____

_____

_____

_____

SECTION IV. VICTIM RESTITUTION AND PRIOR COURT ORDERED MONETARY OBLIGATIONS

8. Victim restitution ☐ **has** ☐ **has not** been paid in full or ☐ **was not ordered**. If victim restitution as not been paid in full, please explain:

_____

_____

_____

_____

9. All other monetary obligations ☐ **have** ☐ **have not been** paid in full or ☐ **were not ordered**. If all other monetary obligations have not been paid in full, please explain:

_____

_____

_____

_____

In some circumstances you may be eligible to apply to the court to modify the amount owed or convert monies owed to community restitution (State offenses only, not for Federal convictions).

Case Number: _____

SECTION V. PRIOR RESTORATION OF RIGHTS

10. Have you previously applied to have your rights restored? ☐ **Yes** ☐ **No.** If so, what was the date of your last application? _____

11. Have you been granted the restoration of your rights previously? ☐ **Yes** ☐ **No.**

12. Have you been denied the restoration of your rights previously? ☐ **Yes** ☐ **No.**

SECTION VI. PENDING CASES

13. Are there any open criminal cases against you? ☐ **Yes** ☐ **No**.
If yes, please explain:

_____

_____

_____

_____

SECTION VII. RESTORATION OF FIREARM RIGHTS

NOTE: Arizona Revised Statutes require:

A person who is convicted of a dangerous offense under A.R.S. § 13-704 or an offense committed in another state that would be a dangerous offense under A.R.S. § 13-704 if committed in this state may not file for the restoration of the right to possess and carry a firearm. A "dangerous offense" is defined under A.R.S. § 13-105(13), as "an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person."

A person who is convicted of a serious offense as defined in A.R.S. § 13-706 or an offense committed in another state that would be a serious offense as defined in A.R.S. § 13-706 if committed in this state may not file for the restoration of the right to possess and carry a firearm for **ten (10) years** from the date of the person's absolute discharge. For the purpose of this section, a "serious offense" is defined in A.R.S. § 13-706(F)(1) as any one of the following offenses:

First degree murder	Sexual assault	Burglary in the first degree
Second degree murder	Any dangerous crime against children	Kidnapping
Manslaughter	Arson of an occupied structure	Sexual conduct with a minor under fifteen years of age
Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.	Armed robbery	Child sex trafficking

Your application to restore firearm rights may be denied if you were convicted of one of the excluded offenses or the time since your discharge from probation or imprisonment does not meet the statutory requirements.

14. If you are requesting that your civil right to possess and carry a firearm be restored, please explain your reasons for the request below:

_____

_____

_____

_____

SECTION VIII. OTHER INFORMATION FOR THE COURT

15. Is there anything you would like the court to take into consideration?

_____

_____

_____

_____

16. ☐ Attached is other pertinent documentation. List attached documents:

_____

_____

_____

_____

I understand that even if I am granted the right to possess and carry a firearm pursuant to this application I may still be prohibited from possessing and carrying a firearm under other state or federal laws.

I understand that this application may be denied if information in this application is found to be inaccurate.

I declare under penalty of perjury that the information provided in this application is true and correct.

_____ _____

Print Defendant's Name Defendant's Signature

_____

Address

OR

Case Number: _____

AUTHORIZATION TO PROCEED ON BEHALF OF DEFENDANT

I authorize _____ ☐ attorney or ☐ probation officer to petition the _____ Court in _____ County, to take the above-indicated action.

_____ _____

Date Defendant's Signature

To the best of my knowledge, the information provided in this application is true and correct.

_____ _____

Print Attorney/Probation Officer Name Attorney/Probation Officer Signature

_____

Attorney/Probation Officer Address

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Representing ☐ Self or ☐ Lawyer for _____
Lawyer's Bar Number: _____

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA

IN COCHISE COUNTY

STATE OF ARIZONA

-vs-

_____
Defendant (FIRST, MI, LAST)

Date of Birth: _____

Case Number: _____

ORDER REGARDING APPLICATION TO RESTORE OR TO CERTIFY AUTOMATIC RESTORATION OF CIVIL RIGHTS AND FIREARM RIGHTS

(A.R.S. §§ 13-906, 13-907, 13-908 and 13-910)

Based on the information presented to the Court, **THE COURT FINDS:** (only those items marked)

☐ The defendant is entitled to automatic restoration of rights,
  ☐ including the right to possess and carry a firearm.
  ☐ excluding the right to possess and carry a firearm.

☐ The defendant is not entitled to automatic restoration of rights.

☐ The prosecutor has received a copy of the Application to Restore Civil Rights and Right to Possess and Carry a Firearm.

☐ The defendant **has met** the statutory requirements for the application to restore civil rights.

☐ The defendant **has met** the statutory requirements for the application to restore civil rights and to possess and carry a firearm.

☐ The defendant **has not met** the statutory requirements for the application to possess and carry a firearm for the following reasons:
  ☐ The defendant was convicted of a **dangerous** offense as defined in A.R.S. § 13-704.

Case Number: _____

☐ The defendant was convicted of a **serious** offense as defined in A.R.S. § 13-706 and **less than ten years** have passed from the date of discharge from probation or prison.

IT IS ORDERED:

☐ CERTIFYING that the defendant's rights have been automatically restored,
- ☐ including the right to possess and carry a firearm.
- ☐ excluding the right to possess and carry a firearm.

☐ DENYING the application to certify automatic restoration of civil rights, including the right to possess and carry a firearm.

☐ GRANTING the application to restore civil rights **and** right to possess and carry a firearm.

☐ GRANTING the application to restore civil rights **excluding** the right to possess and carry a firearm.

☐ GRANTING the application to restore the right to possess and carry a firearm.

☐ DENYING the application to restore civil rights and right to possess and carry a firearm for the following reasons:
- ☐ The applicant **has not met** the statutory requirements for the application (as noted above):
- ☐ Other reasons:_____.

Even if you are granted the right to possess and carry a firearm pursuant to this order you may still be prohibited from possessing and carrying a firearm under other state or federal laws.

DATED this _____ day of _____, _____.

_____

Judicial Officer