IN THE MUNICIPAL COURT OF THE CITY OF HERMISTON
COUNTY OF UMATILLA, OREGON

State of Oregon

v.

_____
Defendant

Case No: _____

MOTION TO EXTEND DUII DIVERSION PERIOD, and DECLARATION IN SUPPORT

MOTION

I am the defendant in this case and I ask the court to 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)*

DECLARATION IN SUPPORT

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 (except as necessary to accommodate military service)

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
   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. ☐ 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)*:
   _____
   _____
   _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

_____ _____
Date Signature

_____
Name (typed or printed)

_____
Address City/State/Zip Phone Number