

APPLICATION FOR SUSPENSION OF PROSECUTION - VIOLATION OF FIREARM LAWS

JD-CR-106 Rev. 10-19
C.G.S. §§ 29-33, 29-37a, 53-202l, 53-202w; P.A. 19-6 §§ 2,4,5; PA 19-7 § 1

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



INSTRUCTIONS

To Defendant: Send the original of this form to the Clerk of Court and send a copy to the state's attorney.

To Clerk: Send a copy to CSSD - Intake, Assessment and Referral if the First Order continues the case for investigation.

TO: The Superior Court of the State of Connecticut

Docket number (For Court Use Only)

From (Name of defendant)	Address of defendant (Number, street and town)
Judicial District or Geographical Area	Address of court

Application

I am applying to have my prosecution suspended and say:

1. I am charged with a violation of section 29-33, 29-37a, 53-202l, or 53-202w of the Connecticut General Statutes; section 2, 4, or 5 of Public Act 19-6; or section 1 of Public Act 19-7 for which suspension of prosecution is appropriate.
2. I have not been convicted of this crime before.
3. I have not had a prosecution of this crime suspended before under section 29-33(h), 29-37a(i), 53-202l(e), or 53-202w(g) of the Connecticut General Statutes; section 2(g), 4(b), or 5(g) of Public Act 19-6; or section 1(c) of Public Act 19-7, as applicable.
4. If prosecution is suspended, I agree to give the state more time to prosecute me for the violation I am charged with (the tolling of any statute of limitations with respect to the violation and to waive my right to a speedy trial).
5. I understand that if the court grants my application to suspend my prosecution:
 - (a) I will be released to the custody of the Court Support Services Division (CSSD) for no more than 2 years.
 - (b) The court may order conditions that it determines are appropriate.
 - (c) If the court finds that I refused to accept or violated the conditions of the suspension of prosecution, the court will end the suspension of prosecution and the case will be brought to trial.
 - (d) If the court finds that I have satisfactorily completed the period of probation, the court will dismiss the charges and all records of the charges will be erased under section 54-142a of the Connecticut General Statutes.
 - (e) If the court ends my participation in the program or denies a motion to dismiss the charges against me after I have completed the period of probation, that order will be a final judgment for purposes of appeal.

By signing this form, I request that the prosecution for the violation be suspended and that the court order me placed in the custody of CSSD.

<i>I have read or had read to me the statements above and understand them. I agree with the statements.</i>	Signed (Defendant)	Date signed
<i>Consented to by (Parent or Guardian)</i>	Signed (Attorney for defendant)	Date signed

First Order

- The application is denied.
- The application is continued to the following Court Hearing Date so that the Defendant's eligibility may be verified.

Court Hearing Date and Time	Signed (Judge or Clerk)	Date signed
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Court Support Services Division Recommendation

- ELIGIBLE
- INELIGIBLE

Signed (CSSD Officer/Duly authorized personnel)	Date signed
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Second Order of Court (if applicable)

The application is denied.

Having found that:

(1) The violation alleged is not of a serious nature;

(2) The defendant:

(a) Will probably not offend in the future;

(b) Has not previously been convicted of a violation of the crime currently charged; and

(c) Has not previously had a prosecution of the crime currently charged suspended under section 29-33, 29-37a, 53-202f, or 53-202w of the Connecticut General Statutes; section 2, 4, or 5 of Public Act 19-6; or section 1 of Public Act 19-7, as applicable; and

(3) The defendant has acknowledged that he or she understands the consequences of the suspension of prosecution;

The application is GRANTED. The prosecution is suspended, the case is continued to the Court Hearing Date and Time listed below, and the defendant is released to the custody of CSSD for the Period of Custody listed below, subject to the Conditions listed below.

Period of custody (Not to exceed two years)

Case continued to (Court Hearing Date and Time)

The conditions of the Suspension of Prosecution are:

By the Court (Name of Judge)

Signed (Clerk)

Date signed

Final Progress Report

The Defendant has satisfactorily completed the conditions of the program.

The Defendant has not satisfactorily completed the conditions of the program. (Explain):

Signed (CSSD Officer/Duly authorized personnel)

Date signed

Disposition

Program successfully completed and charges dismissed.

Program not successfully completed, a plea of not guilty entered and this case immediately placed on the trial list.

Other disposition:

By the Court (Name of Judge)

Signed (Clerk)

Date signed