

1 **SAMPLE JUVENILE COURT ORDER VACATING POSSESSION-ONLY DISPOSITION**
2 **EFFECTIVE TO ELIMINATE IMMIGRATION CONSEQUENCES.** Note: it is the express
3 reference to Blake’s determination of unconstitutionality that is required. This can be used in all
4 such cases – no “special” motions or orders are required for noncitizens.

5
6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
7 JUVENILE COURT

7 STATE OF WASHINGTON,)
8)
9 Plaintiff,) No. SEA
10 vs.)
11) ORDER VACATING AND
12) DISMISSING ORDER OF
13) DISPOSITION FOR POSSESSION-
14 Respondent,) STATE V. BLAKE.
15)
16) CODE: ORVCD
17 [Clerk’s Action Required]

18 THIS MATTER having come on regularly before the undersigned judge of the above-
19 entitled court upon the motion of the State of Washington, plaintiff, for an order vacating and
20 dismissing the prior order of disposition in this case, pursuant to the Washington Supreme Court
21 decision in State v. Blake, 197 Wash.2d 170, 481 P.3d 521 (2021). All counts in the prior order
22 of disposition are limited to possession offenses that are now void pursuant to Blake:

23 **VACATION.** IT IS HEREBY ORDERED, ADJUDGED and DECREED that based on
the ruling of the Washington Supreme Court in State v. Blake, 197 Wash.2d 170, 481 P.3d 521
(2021), holding that convictions under RCW 69.50.4013 are unconstitutional, the Order of
Disposition previously entered by the court in this cause number is vacated under CrR 7.8 and
dismissed with prejudice.

The Juvenile Rehabilitation Administration is ordered to terminate any supervision or
community custody on the above cause number.

LEGAL FINANCIAL OBLIGATIONS. All counts from the Order of Disposition
previously entered in this cause number were for violations of RCW 69.50.4013(1) that have
been vacated by this order and no other counts remain. As such, the Clerk shall compute the
amount of all legal financial obligations, fees, fines, costs, charges assessments, or interest

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1 (“LFOs”) actually paid by respondent that arise solely from the adjudication(s) vacated by this
2 order (“LFO Amount”). The Clerk shall refund the LFO Amount to respondent on behalf of
3 plaintiff State of Washington, or certify the amounts owing to respondent for direct payment by
4 the State of Washington from the “Blake Reimbursement Account” established by Section 21 of
5 ESB 5476. The Clerk shall also delete or cancel any unpaid LFO balances that arise solely from
6 the conviction(s) vacated by this order, including any interest or collection fees. The Clerk shall
7 send the refund or certification form in the defendant’s name to the following address:

8 Name:

9 Street Address:

10 City: State: Zip Code:

11 **WASHINGTON STATE PATROL.** The clerk of the court shall transmit a certified
12 copy of this order to the Washington State Patrol, which agency shall immediately update its
13 records to reflect the vacation and dismissal of the above counts **ONLY**. The Washington State
14 Patrol shall transmit a copy of this order to the Federal Bureau of Investigation.

15 DONE this day of , 2021.

16 _____
17 The Honorable

18 Presented by:

19 _____
20 _____

21 Attorney WSBA# _____

22 s/ Scott Ketterling

23 Scott Ketterling

Attorney WSBA# 35390

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