

**IN THE JUSTICE COURT OF LAFAYETTE COUNTY,
STATE OF MISSISSIPPI**

**STATE OF MISSISSIPPI
PLAINTIFF
VERSUS**

**Docket:
Page:**

DEFENDANT

**AFFIDAVIT OF ELIGIBILITY AND
REQUEST TO PARTICIPATE IN TRAFFIC SAFETY VIOLATOR COURSE
FOLLOWING A CONVICTION AFTER HEARING**

I, the Defendant in the above styled case, having been convicted of the charge of _____, a misdemeanor offense under Chapter 3,5, or 7 of Title 63 of the Mississippi Code, make this written request to participate in a traffic safety violator course. In support thereof, I sate under oath:

1. That I have not had a conviction of a violation under Chapter 3, 5 or7 of Title 63 of the Mississippi Code within three (3) years before the current offense or since October 1, 2002, whichever is the lesser period of time;
2. That I am not in the process of taking a traffic safety violator course under Mississippi Code Section 63-9-11;
3. That I have not completed a traffic safety violator course under Mississippi Code section 63-9-11 that is not yet reflected on my public or nonpublic driving record; and
4. That I have a valid Mississippi driver's license or permit, or alternatively, a valid out-of-state driver's license or permit.
5. That I am not a holder of a commercial driver's license issued under the Mississippi Commercial Driver's License Law.

Further, I fully understand that by making this request and affidavit pursuant to the provisions of Mississippi Code Section 63-9-11, the Court shall suspend the sentence of my conviction for forty-five (45) days to allow me to: successfully complete not less than four (4) hours of a court approved traffic safety violator course at my own costs; pay the applicable fine, costs and any assessments required by law to be paid upon conviction of the above offense; and pay to the court an additional fee of Ten Dollars (\$10.00). Upon showing proof of having satisfied all of these conditions, the Court shall dismiss the prosecution and direct that the case be closed. On its own motion, the Court shall then expunge the record of the conviction.

DEFENDANT

Sworn to and subscribed before me this the ____ day of _____, A.D., _____.

JUSTICE COURT CLERK

