

FILED
GARY L. HARRISON
CLERK, SUPERIOR COURT

2023 AUG 25 PM 4:18

G. WANDELL, DEPUTY

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5 *Attorneys for Bryan Peter Foshay*

7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

8 IN AND FOR THE COUNTY OF PIMA

9 THE STATE OF ARIZONA,

) CR-20124578-001

10 Respondent/Plaintiff,

) **ORDER**

11 vs.

) Before Honorable Judge Wayne E.
Yehling

12 BRYAN PETER FOSHAY,

) Division 11

13 Petitioner/Defendant.
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16 Having reviewed the parties' *Stipulated Findings of Fact and Conclusions of Law*
17 *and Request for Orders to Vacate Defendant's Conviction, Judgment of Guilt and*
18 *Sentence, to Relieve Him of All Resulting Penalties, to Dismiss the Indictment and to*
19 *Release Defendant from Incarceration, and good cause shown,*

20 IT IS HEREBY ORDERED vacating the defendant's conviction, judgment of
21 guilt and sentence.

22 IT IS FURTHER ORDERED in the interest of justice that all charges against the
23 defendant be and hereby are dismissed without prejudice.

24 IT IS FURTHER ORDERED vacating all previously imposed court-ordered
25 financial obligations as a result of the defendant's conviction.

26 IT IS FURTHER ORDERED restoring all civil rights of the defendant which
27 were lost or suspended by the conviction, including the right to possess a gun or firearm.
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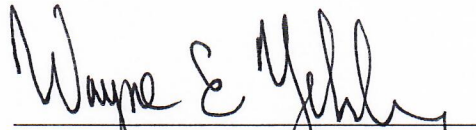
1 IT IS FURTHER ORDERED directing the Clerk of the Court to seal all records
2 related to the defendant's arrest, charges, conviction, and sentence in this matter, and to
3 permit future access only by the defendant or his counsel.

4 IT IS FURTHER ORDERED directing the Arizona Department of Corrections
5 Rehabilitation and Reentry (ADCRR) to immediately release the defendant from
6 incarceration.

7 A certified copy of this Order shall be transmitted to the ADCRR.

8 **IT IS SO ORDERED.**

9 Dated: August 25, 2023

10 
11 _____
12 HONORABLE WAYNE E. YEHLING
13 Judge of the Superior Court
Division 11

14 cc: Clerk of the Court, Pima County Superior Court
15 Arizona Department of Public Safety
16 Arizona Department of Corrections Rehabilitation and Reentry
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STATE OF ARIZONA } ss.
COUNTY OF PIMA }

The foregoing instrument is a full, true, and correct copy of the original on file in this office.

Attested August 25, 2023

GARY L. HARRISON, Clerk

By [Signature] Deputy