

Using This Revisable PDF Form

1. Copies
2. Prepared by petitioner.
3. Attachments –
 - a. Copies of order(s) for commitment or admission for mental health treatment that resulted in the petitioner being unable to purchase, possess or transport a firearm.
 - b. Any other documents the petitioner believes are relevant to the petition.

PETITION TO RESTORE RIGHT TO PURCHASE, POSSESS OR TRANSPORT A FIREARM

Commonwealth of Virginia VA. CODE §§ 18.2-308.1:1, 18.2-308.1:2, 18.2-308.1:3

Case No. 1
Hearing Date 2

Circuit Court (Review of Denial Only)
 General District Court

3

CITY OR COUNTY

4

In re: _____

NAME OF PETITIONER

(_____) _____

ADDRESS

TELEPHONE NUMBER

This petition is filed

- to restore the right to purchase, possess or transport a firearm
- pursuant to Virginia Code § 18.2-308.1:1, by a person who was acquitted by reason of insanity of one of the offenses listed in the statute and committed, upon discharge.
- pursuant to Virginia Code § 18.2-308.1:2, by a person who was adjudicated legally incompetent, mentally incapacitated, or incapacitated and whose competency or capacity has been restored.
- pursuant to Virginia Code § 18.2-308.1:3, by a person following release from involuntary admission, voluntary admission or mandatory outpatient treatment.
- for a de novo review in the circuit court of a general district court order denying restoration of the right to purchase, possess or transport a firearm.

The following is true and correct to the best of my knowledge:

- 1. I was committed or admitted for mental health treatment as described below, such that it became unlawful for me to purchase, possess or transport a firearm:
 - I was acquitted by reason of insanity of an offense(s) specified in Virginia Code § 18.2-308.1:1 and committed to the custody of the Commissioner of Behavioral Health and Developmental Services pursuant to Virginia Code § 19.2-182.2 et. seq.
on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was adjudicated legally incompetent pursuant to former Virginia Code § 37.1-128.02 or former § 37.1-134
on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was adjudicated mentally incapacitated pursuant to former Virginia Code § 37.1-128.1 or former § 37.1-132
on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was adjudicated incapacitated pursuant to Chapter 10 (§ 37.2-1000 et. seq.) of Title 37.2
on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was involuntarily admitted to a facility or ordered to mandatory outpatient treatment pursuant to Virginia Code § 19.2-169.2
on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was involuntarily admitted to a facility or ordered to mandatory outpatient treatment as the result of a commitment hearing pursuant to Virginia Code § 37.2-814 et seq. on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY
 - I was the subject of a temporary detention order pursuant to Virginia Code § 37.2-809 and agreed to voluntary admission for inpatient treatment pursuant to Virginia Code § 37.2-805 on _____
DATE(S) OF ORDER(S) AND CITY/COUNTY

- 2. I am now eligible to petition to restore the right to purchase, possess or transport a firearm having been discharged from the custody of the Commissioner; restored to competency or capacity; or released from admission or treatment.
- 3. I am not otherwise ineligible or legally barred from purchasing, possessing or transporting a firearm under the laws of the Commonwealth or under equivalent laws of any other state or federal law.

7 In support of this petition, the following documents are attached: _____

8 Additional sheet(s) attached and incorporated by reference.

Based upon the facts specifically detailed above, I ask this court to grant this petition and restore to the petitioner the right to purchase, possess or transport a firearm. A hearing is is not requested.

10

DATE

11

SIGNATURE OF PETITIONER

- Filed by attorney for petitioner _____
ADDRESS _____
TELEPHONE NUMBER _____
- PRINT NAME _____

Data Elements

1. Insert court case number.
2. Hearing date to be inserted by the clerk.
3. Insert court name. Check appropriate box.
4. Insert name, address and telephone number of petitioner.
5. Check applicable box.
6. Check all applicable boxes that reflect why it became unlawful for petitioner to purchase, possess or transport a firearm, and insert date(s) and city/county of order(s) for all boxes checked.
7. Check this box if documents in support of the petition are attached, and specifically identify attached documents.
8. Check this box if additional sheets are attached.
9. Check appropriate box as to whether a hearing is or is not requested.
10. Insert date signed by petitioner.
11. Signature of petitioner.
12. Check this box if the petition is filed by the attorney for the petitioner, and insert the name, address and telephone number of the attorney.