

\_\_\_\_\_  
My Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

I am the  Petitioner  
 Attorney for the Petitioner and my Utah Bar number is \_\_\_\_\_

\_\_\_\_\_  
In the  District  Justice Court of Utah  
\_\_\_\_\_ Judicial District \_\_\_\_\_ County  
Court Address \_\_\_\_\_

In Re Petition to Expunge the Records of _____ Petitioner	<b>Petition to Expunge Records</b> Case Number _____ Judge _____
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- Instructions:** Attach the following:
- Civil Cover Sheet.
  - Filing fee or Motion and Affidavit to Waive Fees plus supporting documents.
  - Original** Certificate of Eligibility from the Bureau of Criminal Identification (BCI).
  - Additional pages as needed to complete paragraphs that don't have enough space. Write the paragraph number on the additional page.
- By and through my attorney, (Attorney, check here if you are appearing for your client.)

I say as follows:

(Choose  (1) and complete that section if you were **not** convicted of the crime you are asking to expunge.)

(Choose  (2) and complete that section if you **were** convicted of the crime you are asking to expunge.)  
(Complete Paragraph (3) also.)

**(1)  Records of crimes without a conviction.**

(A) I was arrested on \_\_\_\_\_ (date) by  
\_\_\_\_\_ (law enforcement agency). The law  
enforcement agency's file number is \_\_\_\_\_.

(B) Choose  one.

The following court case(s) were filed in this case as a result of the arrest:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

(Provide the case numbers. Leave blank if there was no case filed.)

No cases were filed.

(C) Choose  all that apply.

I was not convicted of the offense; and

at least 30 days have passed since I was arrested; and

I have not been arrested since this arrest; and

one of the following has occurred: (Choose  one.)

no charges were filed; or

charges were filed, but the case was dismissed with prejudice; or

charges were filed, but I was acquitted at trial; or

the statute of limitations has expired.

**(2)  Records of crimes with a conviction.**

(A) I was convicted of crimes in this court in the following court case(s)  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. (Provide  
the case numbers.)

(B) Choose  all that apply.

None of the crimes is:

- a capital felony or first degree;
- a violent felony as defined in Section 76-3-203.5;
- automobile homicide;
- felony driving under the influence; or
- a registerable sex offense as defined in Section 77-27-21.5;

I did not provide false or misleading information on the application for the certificate of eligibility.

There is no criminal case against me pending or being investigated in any jurisdiction.

In my lifetime, I have not been convicted in separate criminal episodes of:

- two or more felonies;
- three or more crimes of which two are class A misdemeanors;
- four or more crimes of which three are class B misdemeanors; or
- five or more crimes of any degree other than infractions and the traffic offenses described in Utah Code Section 77-40-102.

I have paid all fines, fees, restitution and interest.

The following time periods have elapsed from the date I was convicted or released from incarceration, probation or parole, whichever occurred last:

- 10 years in the case of a misdemeanor conviction of Subsection 41-6a-501(2) or a felony conviction of Subsection 58-37-8(2)(g);
- 7 years in the case of a felony;
- 5 years in the case of a class A misdemeanor;
- 4 years in the case of a class B misdemeanor; or

- 3 years in the case of any other misdemeanor or infraction.

**(3) Public interest.** The following clear and convincing evidence shows that expunging the crimes is not contrary to public interest.

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**(4) Request.** I request that the court order the crimes identified above expunged and the records of any court cases and related records in the possession or control of any state, county or local government agency expunged.

I have not included any non-public information in this document.

I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.

\_\_\_\_\_ Sign here ► \_\_\_\_\_  
Date  
Typed or Printed Name \_\_\_\_\_