

My Name _____
Address _____
City, State, Zip _____
Phone _____
E-mail _____

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

KANE COUNTY JUSTICE COURT

State of Utah

76 North Main Street, Kanab, UT 84741

(435) 644-2351 – telephone; (435) 644-2052 – fax

jckane@utcourts.gov

In Re: _____	Petition to Expunge Records (Special Certificate from BCI)
Petitioner	Case Number _____
	Judge _____

Instructions: Attach the following:

- Civil Cover Sheet.
- Filing fee or Motion and Affidavit to Waive Fees plus supporting documents.
- Original** Special Certificate 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(s) 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 was filed as a result of the arrest:
_____.

No cases were filed.

(C) Choose all that apply.

I was not convicted of the offense.

At least 30 days have passed since I was arrested.

I have not been arrested since this arrest.

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.

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

(A) I was convicted of a crime or crimes in court case number _____.

(B) Choose all that apply.

None of the crimes is:

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

There is no criminal case pending against me 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.

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 § 41-6a-501(2) or a felony conviction of § 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) Certificate of eligibility. BCI was unable to determine an appropriate disposition of my criminal history. BCI has therefore issued the attached special certificate for the court to determine my eligibility for expungement. The following is why I believe that I am eligible for expungement:

(4) Public interest. The following explains why expunging the crimes is not contrary to the public's interests.

(5) Request. I request that the court order expungement of the crimes or alleged crimes identified above and order state, county and local government agencies to expunge related records in their possession or control.

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

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

_____ Sign here ► _____
Date
Typed or Printed Name _____