

**FACTS PERTAINING TO EXPUNGEMENT MATTER :**

Choose the appropriate option for your case.

- CONVICTION FOR A MISDEMEANOR**
- CONVICTION FOR A ~~FELONY~~ FELONY THAT WAS REDUCED TO A MISDEMEANOR**

If this is a felony reduced to a misdemeanor, select the class or level

1. Petitioner was arrested in County you were arrested in. County on Date arrested. by Name of arresting officer, if you know it, employed by the law enforcement agency known as Name of arresting law enforcement agency. under law enforcement agency case number If you know it, the case number assigned by the arresting agency.

2. Petitioner was convicted on the following charges on Date of conviction., under Cause Number Cause number for the criminal case. in Name of county. Choose the court type. Court, Criminal Division, Room Room number, if known.

	Title	Class	Count	Category
a.	<b>List each title, class/level, count and category of the crimes you were convicted of under the cause number you listed above. Do not list dismissed convictions.</b>			
b.				
c.				
d.				

Said felony judgement was converted to a class A misdemeanor on Insert the date that the felonies were 'alternatively sentenced as misdemeanors'.

3. Petitioner is not a person who is prohibited from seeking this remedy under the provisions of I.C. §35-38-9-2(b).

SELECT THE SENTENCE THAT IS TRUE

4. Elapsed time:

Five (5) years have passed between the date of Petitioner's conviction and the filing of this Petition.

Fewer than five (5) years have passed between the date of Petitioner's conviction and the filing of this Petition, but the County Prosecuting Attorney has provided written consent for a shorter elapsed time period (see Exhibit attached, letter of consent from County Prosecutor). **IF THE PROSECUTOR HAS WAIVED THE TIME PERIOD, FILL IN THESE BLANKS AND ATTACH THE PROSECUTOR'S LETTER AS AN EXHIBIT**

SELECT THE SENTENCE THAT IS TRUE

5. Criminal activity within the previous five (5) years:

Petitioner affirms that to the best of their knowledge, they have not committed another crime in any jurisdiction within the previous five (5) years.

Petitioner affirms that, to the best of their knowledge, they have not committed another crime in any jurisdiction within the shorter elapsed time period to which the prosecuting attorney has agreed.

SELECT THE SENTENCE THAT IS TRUE

6. Petitioner has:

Paid all fines, fees, and court costs, and no restitution obligation was imposed as part of their sentence **IF YOU WERE ORDERED TO PAY**

Satisfied their restitution obligation of \$ RESTITUTION, PUT THE AMOUNT HERE imposed as part of their sentence.

Been found indigent as to all outstanding fines, costs, and fees ordered as part of the sentence.

SELECT THE SENTENCE THAT IS TRUE

7. Appellate activity:

The case that Petitioner is requesting be sealed has not been appealed.

The case that Petitioner is requesting be sealed was appealed on IF THE CASE WAS APPEALED, INSERT THE DATE AND CAUSE NUMBER HERE under the following appellate cause number THE DATE AND CAUSE NUMBER HERE

8. Related MC cause numbers:

Court records stored under the following MC case/cause numbers constitute records of the sentencing court or juvenile court for the purposes of this order:  
LIST ANY OTHER CAUSE NUMBERS THAT ARE RELATED AND INCLUDE THE LETTERS 'MC' IN THE CAUSE NUMBER.

NOT PUBLIC RECORD

FINDINGS PERTAINING TO EXPUNGEMENT MATTER \_\_\_\_\_ :

- CONVICTION FOR A MISDEMEANOR
- CONVICTION FOR A \_\_\_\_\_ FELONY THAT WAS REDUCED TO A MISDEMEANOR

The Court now finds by a preponderance of the evidence that:

1. Petitioner's verified petition for expungement seeks relief as provided by I.C. §35-38-9-2 for a conviction entered on the following charges on \_\_\_\_\_, under Cause Number \_\_\_\_\_ in \_\_\_\_\_, Criminal Division, Room \_\_\_\_\_.

	Title	Class	Count	Category
a.				
b.				
c.				
d.				

FILL IN THIS PAGE

Said felony judgment was converted to a class A misdemeanor on \_\_\_\_\_.

2. Petitioner is not a person who is prohibited from seeking this remedy under the provisions of I.C. §35-38-9-2(b).

3. Elapsed time:

- Five (5) years have passed between the date of Petitioner's conviction and the filing of this Petition.
- Fewer than five (5) years have passed between the date of Petitioner's conviction and the filing of this Petition, but the \_\_\_\_\_ County Prosecuting Attorney has provided written consent for a shorter elapsed time period (see Exhibit \_\_\_\_\_ attached, letter of consent from \_\_\_\_\_ County Prosecutor).

4. Criminal activity within the previous five (5) years:

- Petitioner affirms that to the best of their knowledge, they have not committed another crime in any jurisdiction within the previous five (5) years.
- Petitioner affirms that, to the best of their knowledge, they have not committed another crim in any jurisdiction within the shorter elapsed time period to which the prosecuting attorney has agreed.

5. Petitioner has:

- Paid all fines, fees, and court costs, and no restitution obligation was imposed as part of their sentence
- Satisfied their restitution obligation of \$\_\_\_\_\_ imposed as part of their sentence.
- Been found indigent as to all outstanding fines, costs, and fees ordered as part of the sentence.

6. Appellate activity:

- The case that Petitioner is requesting be sealed has not been appealed.
- The case that Petition is requesting be sealed was appealed on \_\_\_\_\_ under the following appellate cause number \_\_\_\_\_.

7. Related MC cause numbers:

- Court records stored under the following MC case/cause numbers constitute records of the sentencing court or juvenile court for the purposes of this order:

\_\_\_\_\_

SELECT THE ROMAN NUMERAL THAT MATCHES THE ROMAN NUMERAL YOU CHOSE ABOVE.

The court now finds that the Petition as to EXPUNGEMENT MATTER \_\_\_\_\_ shall be GRANTED.

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