

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

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

In the Wasatch County Justice Court of Utah
4th Judicial District Wasatch County
Court Address 1361 South Hwy 40, Heber City, UT 84032

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 _____

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

In the Wasatch County Justice Court of Utah

4th Judicial District Wasatch County

Court Address 1361 South Hwy 40, Heber City, UT 84032

In Re:	Acceptance of Service
Petitioner _____	Case Number _____
	Judge _____

The undersigned acknowledges receipt of a copy of the Petition for Expungement.

Date _____ Sign here ► Prosecutor _____
Address _____
City, State, Zip _____
Phone _____

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

In the Wasatch County Justice Court of Utah

4th Judicial District Wasatch County

Court Address 1361 South Hwy 40, Heber City, UT 84032

In Re:	Consent and Waiver of Hearing
Petitioner _____	Case Number _____
	Judge _____

The undersigned has reviewed Petitioner's Petition and the case file.

- The undersigned waives the right to object to Petitioner's Petition.
- The undersigned consents to this court entering an order for expungement.
- There is is not a victim in this case.
- The victim has been notified of the Petition.
- The victim has been notified and has authorized the undersigned to waive the victim's right to object to the Petition and to consent to this court entering an order for expungement without further notice.

Date _____ Sign here ► Prosecutor _____
Address _____
City, State, Zip _____
Phone _____

My Name _____

Address _____

City, State, Zip _____

Phone _____

E-mail _____

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

In the Wasatch County Justice Court of Utah
4th Judicial District Wasatch County
Court Address 1361 South Hwy 40, Heber City, UT 84032

In Re:

Petitioner

**Findings of Fact, Conclusions of
Law, and Order on Petition to
Expunge Records
(Special Certificate from BCI)**

Case Number _____

Judge _____

The matter before the court is a Petition to Expunge Records. This matter is being resolved by:

The pleadings and other papers of the parties, or

A hearing held on _____ (date), notice of which was served on all parties and at which the court considered the pleadings and evidence presented by the parties.

Having considered the documents filed with the court, the evidence, and the arguments, and now being fully informed,

The Court Finds by Clear and Convincing Evidence That:

- (1) The petition is sufficient.
- (2) The statutory requirements have been met.
- (3) Expunging the petitioner's records is not contrary to the interests of the public.

The Court Concludes That:

- (4) The records of petitioner's arrest, investigation, and detention, and conviction relating to court case number _____ should be expunged.

If charges were never filed the records related to the following incident: _____ (LEA file number) of _____ (LEA name) should be expunged.

The Court Orders That:

- (5) The records of petitioner's arrest, investigation, detention, and conviction relating to court case number _____ shall be expunged.

If charges were never filed the records related to the following incident: _____ (LEA file number) of _____ (LEA name) shall be expunged.

- Petitioner shall deliver a copy of this order to any government agency or official that may have such records.
- The Bureau of Criminal Identification shall provide to the petitioner clear written directions on expungement, along with a list of agencies known to be affected by this order.
- The clerk of the court shall expunge all related court records as provided by Rule 4-205.

- Any other government agency or official receiving this order shall expunge related records as provided by § 77-40-102 and § 77-40-108.
- Any government agency or official receiving this order shall not divulge information identifying the petitioner.
- Any government agency or official receiving this order shall respond to any inquiry as though the arrest or conviction did not occur.

_____ Sign here ► _____
Date Judge _____

Certificate of Service

I certify that I served a copy of this Findings of Fact, Conclusions of Law, and Order on the prosecutor by

Person's Name	Method of Service	Served at this Address	Served on this Date
(Prosecuting Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.)		

Sign here ► _____

Date

Typed or Printed Name