

# Expungement (Cleaning up a Criminal Record): Understanding Sacramento Court's Expungement Packet

This guide contains samples with instructions for all of the expungement forms include in the Sacramento County Superior Court's [Expungement / Dismissal Information and Petition Packet](https://www.saccourt.ca.gov/criminal/docs/1203-4-dismissal-process.pdf) (<https://www.saccourt.ca.gov/criminal/docs/1203-4-dismissal-process.pdf>).

The court also offers additional information on their [Expungement / Dismissal](https://www.saccourt.ca.gov/civil/self-help-services/expungement.aspx) (<https://www.saccourt.ca.gov/civil/self-help-services/expungement.aspx>) page, and a presentation guiding you step by step on how to fill the forms out.

The court's Self Help Services offers an online guide to filling the forms out at [Expungement Walkthrough – Sacramento Superior Court](https://www.saccourt.ca.gov/civil/docs/petition-exp-012221.pdf) (<https://www.saccourt.ca.gov/civil/docs/petition-exp-012221.pdf>).

## Free Video!

**Criminal Records Expungement Video** ([https://www.saclaw.org/resource\\_library/expungement-cleaning-up-a-criminal-record-understanding-sacramento-courts-expungement-packet/](https://www.saclaw.org/resource_library/expungement-cleaning-up-a-criminal-record-understanding-sacramento-courts-expungement-packet/))

This video is a joint project of the Sacramento County Public Law Library and the former Voluntary Legal Services Program. It explains how to ask the court to dismiss your convictions and expunge your record.

*Note: The forms referred to in this video have been updated since it was recorded. However, the information in the video may still be helpful for those trying to expunge their own record. Make sure you are using the most updated forms included in the [Sacramento Superior Court Criminal \(Expungement\) Dismissal Process](https://www.saccourt.ca.gov/criminal/docs/1203-4-dismissal-process.pdf) (<https://www.saccourt.ca.gov/criminal/docs/1203-4-dismissal-process.pdf>) guide.*

## For More Information

### On the Web:

**California Courts Self Help Website: "Clean your record"** (<https://selfhelp.courts.ca.gov/clean-your-record>)

This website includes a section with information and instructions on cleaning up your criminal record.

### At the Law Library:

**How to Seal Your Juvenile and Criminal Records in California**

KFC 1194 .Z9 S53 (Self-Help)

**California Criminal Defense Practice**

KFC 1155 .C342 Chap. 103

Electronic Access: On the Law Library's computers, using *LexisAdvance*.


**California Criminal Law Procedure and Practice**

KFC 1155 .C35 Chap. 4

Electronic Access: On the Law Library's computers, using *OnLaw*.

## Samples


### Petition and Order Pursuant to PC 1203.3 (CR-9, Sacramento)


**Sacramento Superior Court, 720 Ninth Street, Sacramento, California 95814**

Attorney or Party Without Attorney (Name, Address and Telephone): Paul Sample 1234 Main Street Sacramento, CA 95811 916-555-1432	<b>FOR COURT USE ONLY</b>
Attorney for: Paul Sample, In Pro Per	Your name, address, and phone number. "In Pro Per" means you are representing yourself.
THE PEOPLE OF THE STATE OF CALIFORNIA vs. Paul Sample, In Pro Per Defendant Name	<b>PETITION AND ORDER PURSUANT TO                  PENAL CODE SECTION 1203.3, 17(b)</b>
Your name	Check box for defendant
Date of conviction	Check felony or misdemeanor
I am <input type="checkbox"/> named defendant <input checked="" type="checkbox"/> I am the defendant in the above entitled action who was convicted on <u>03/05/2005</u> of <input checked="" type="checkbox"/> felony offense(s) <input checked="" type="checkbox"/> misdemeanor offense(s) (Month / Day / Year)	Case Number: 05M012345 Date of Birth: 05/10/1975
of the violation section(s) <u>PENAL CODE 594</u>	Code and Section you were convicted of violating
The defendant requests: <input type="checkbox"/> the charge(s) be reduced to a misdemeanor pursuant to Penal Code 17b. <input type="checkbox"/> probation be terminated pursuant to Penal Code 1203.3. The defendant has fulfilled the condition of Penal Code Section 1203.3.	Either check if reducing to a misdemeanor per 17b , or terminating probation per PC 1203.3.
I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.	
Executed on <u>06/22/2011</u> at <u>Sacramento</u> , California (Month / Day / Year) (City)	Signature of petitioner: <u>Paul Sample</u> Print name of petitioner: Paul Sample
<b>HEARING FOR COURT USE ONLY</b>	
<input type="checkbox"/> Petition will be submitted on _____ at _____ A.M./P.M. in Department _____ (Month / Day / Year) (Time)	
<b>ORDER – FOR COURT USE ONLY</b>	
<input type="checkbox"/> The court <b>GRANTS/ DENIES</b> the petition to terminate probation pursuant to Penal Code 1203.3. <input type="checkbox"/> The court <b>GRANTS/DENIES</b> the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b).	
Dated: _____ Judge of the Superior Court	
CR-9 (Effective: January 2018)	

Petition and Order Pursuant to Penal Code 1203, 17 (CR-9)

Petition for Dismissal (CR-180)



**Sacramento Superior Court**  
720 Ninth Street, Sacramento, California 95814

Attorney or Party Without Attorney

NAME: Paul Sample  
FIRM NAME:  
STREET ADDRESS: 1234 Main Street  
CITY, STATE, ZIP: Sacramento, CA 95811  
TELEPHONE NO.: (916) 555-1432 FAX NO.: ( )  
E-MAIL ADDRESS: paulsample100@email.com  
ATTORNEY FOR (Name): Paul Sample, in Pro Per  
DEFENDANT DRIVER'S LICENSE NUMBER: CA XX512345

FOR COURT USE ONLY

**PETITION FOR DISMISSAL**  
(Pen. Code, § 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49)

THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: Paul Sample, in Pro Per

CASE NUMBER: 05M012345

COURT DATE: (For Court Use Only)

DATE OF BIRTH: 05/10/1975

TIME:

1.  I am the attorney for the above named defendant or  I am the defendant in the above entitled action.  
On (date): 03/05/2005, the petitioner (the defendant in the above-entitled criminal action) was convicted of a \_\_\_\_\_ of the following:

Offense	Code	Section	Type of offense: (Felony; Misdemeanor; Infraction)	Eligible for reduction to misdemeanor under Penal Code § 17(b) (Select Yes or No)	Eligible for reduction to infraction under Penal Code 17(d)(2) (Select Yes or No)
Vandalism	Penal	594	<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Mis <input type="checkbox"/> Inf	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Inf	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

2.  **Felony or misdemeanor with probation granted (Pen. Code, § 1203.4)**  
Probation was granted on the terms and conditions set forth in the docket of the above-entitled case. The petitioner is not serving a sentence for any offense, nor on probation for any offense, nor under charge of any offense. (check all that apply):

a.  has fulfilled the conditions of probation for the entire period thereof;

b.  has been discharged from probation prior to the termination of the period thereof;

c.  should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attachment to Judicial Council Form (form MC-025).)

3.  **Misdemeanor or infraction with sentence other than probation (Pen. Code, § 1203.4)**  
Probation was not granted; more than one year has elapsed since the date of pronouncement of judgment and the petitioner is not serving a sentence for any offense. (check one):

a.  has lived an honest and upright life since pronouncement of judgment and conformed to and obeyed the laws of the land; or

b.  should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attachment to Judicial Council Form (form MC-025).)

Form Approved for Optional Use  
Judicial Council of California  
CR-180 Modified for use by Sacramento Superior Court [Rev. January 1, 2021]

Petition for Dismissal (CR-180) (page 1)



Your name and case number

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT <b>Paul Sample, In Pro Per</b>	CASE NUMBER <b>05M012345</b>
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4.  **Successful participation in the California Conservation Camp Program or county incarcerated individual hand crew (Pen. Code, § 1203.4b)**  
 The petitioner has been released from custody, has 1203.4b(a)(1), and has successfully participated in (Successful participation means the incarcerated individual adeq  
 a.  the California Conservation Camp program Secretary of the Department of Corrections and Rehabilitation.  
 b.  as a member of a county incarcerated individual hand crew, as determined by the appropriate county authority.  
 c.  should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.)

If you have successfully completed the California Conservation Camp Program or county incarcerated individual hand crew under PC 1203.4b. Select A or B and select C. Provide the information about the fire camp

Please provide the following information to assist in certifying successful participation in fire camp as a hand crew member:

CDCR NUMBER:	NAME OF FIRE CAMP:
FIRE CAMP PARTICIPATION DATES:	

5.  **Misdemeanor conviction under Penal Code section 647(b) (Pen. Code, § 1203.49)**  
 The petitioner has completed a form of probation for a conviction under Penal Code section 647(b) and should be granted relief because the petitioner can establish by clear and convincing evidence that the conviction was a victim of human trafficking.  
 Please note: You may provide evidence that the conviction was the result of your status as a victim of human trafficking. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.

Select 5 if your conviction was the result of your status as a victim of human trafficking

6.  **Felony county jail sentence under Penal Code section 1170(h)(5) (Pen. Code, § 1203.41)**  
 The petitioner is not under supervision under Penal code section 1170(h)(5)(B) and is not serving a sentence for, on probation for, or charged with the commission of any offense, and should be granted relief in the interests of justice, and (check one):  
 a.  more than one year has elapsed since petitioner completed mandatory supervision imposed under Penal Code section 1170(h)(5)(A).  
 b.  more than two years have elapsed since petitioner completed mandatory supervision imposed under Penal Code section 1170(h)(5)(A).  
 c.  should be granted relief in the interests of justice. (Please note: You must explain why granting a dismissal would be in the interests of justice. You may complete and attach the Attached Declaration (form MC-031) or submit other relevant documents.)

If you were sentenced to state prison, yet you served time only in a county jail, then you will be eligible to have your record expunged under PC 1203.41

7.  **Felony Conviction sentenced prior to the implementation of the 2011 Realignment Legislation for a crime which the petitioner would otherwise be eligible for sentencing pursuant to subdivision (b) of Section 1170.25, Penal Code, § 1203.42**  
 a.  More than two years have elapsed since the completion of the sentence.  
 b.  Not under supervised release, and not serving a sentence for, or probation for, the commission of any offense.

If you were sentenced prior to the 2011 Realignment Legislation, per PC 1203.42

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Judicial Council of California  
CR-180 Modified for use by Sacramento Superior Court [Rev. January 1, 2021]

PETITION FOR DISMISSAL

Penal Code, §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49  
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Petition for Dismissal (CR-180) (page 2)

Your name and case number

PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT <b>Paul Sample, In Pro Per</b>	CASE NUMBER <b>05M012345</b>
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8.  **Deferred entry of judgment (Pen. Code, § 1203.43)**  
Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted and can establish dismissal was granted under PC 1000.3 on (date):

If you performed satisfactorily during the period in which **deferred entry of judgment** was granted and can establish dismissal was granted under PC 1000.3. Include the date of the dismissal.

a.  court records are available showing the case resolution.  
 b.  petitioner declares under penalty of perjury that the charges were dismissed after he or she completed the requirements for deferred entry of judgment. Petitioner (check one):  
 has or  has not attached a copy of his or her state summary criminal history information.

9.  The Petitioner requests that eligible felony offenses listed above be reduced to misdemeanors under Penal Code section 17(b).

10.  The Petitioner requests that eligible misdemeanor offenses be reduced to infraction under Pen. Code section 17(b).

Check 9, 10, or 11 as it applies to the situation. It should match your previous answers.

11.  Petitioner requests that he/she be permitted to withdraw the plea of guilty, or that the verdict or and a plea of not guilty be entered and the court dismiss this action under section:  
 1203.4,  1203.4a,  \*1203.4b,  1203.41,  1203.42,  1203.43,  1203.49 of the Penal Code.  
*\*Please note: upon granting relief under Penal Code section 1203.4b, the court shall order early termination of probation, parole, or supervised release if the court determines that the defendant has not violated any terms or conditions of probation, parole, or supervised release prior to, and during the pendency of, the petition for relief pursuant to Penal Code section 1203.4b.*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: 05/22/2011 (DATE)      \_\_\_\_\_ (SIGNATURE OF PETITIONER OR ATTORNEY)

Sign and Date

**HEARING – FOR COURT USE ONLY**

Petition will be submitted on \_\_\_\_\_ at \_\_\_\_\_  A.M. /  P.M. in Dept. \_\_\_\_\_  
(Month / Day / Year) (Time)

The District Attorney has been notified of this hearing.       Probation has been notified of this hearing.

Form Approved for Optional Use Judicial Council of California CR-180 Modified for use by Sacramento Superior Court [Rev. January 1, 2021]	PETITION FOR DISMISSAL	Penal Code, §§ 17(b), 17(d)(2), 1203.4 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49 Page 3 of 3
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Petition for Dismissal (CR-180) (page 3 of 3)

Parties in the original case

Case number for the conviction you are trying to expunge

PLAINTIFF/PETITIONER: People of the State of California DEFENDANT/RESPONDENT: Paul Sample	MC-031 CASE NUMBER: 05M012345
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**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

At the time of my conviction in 2005, I was only 19 years old, I had dropped out of high school, and was not working. I had too much time on my hands and was hanging out with people who were a bad influence. This led me to getting in trouble.

After the birth of my daughter in 2007, I realized that I needed to get my life back on track, so that I could support her. With the help of my parents, I got my GED, and enrolled at UniTech to study Automotive Technology. I worked part time at an auto parts store while going to school part time, so I could support my daughter and help my parents with bills, since they were letting me stay with them. I finished my schooling in January 2011. Since then, I've been trying to find full time work as an Automotive Technician or Smog Technician, but am having a hard time. There are not a lot of jobs available right now, and having a conviction on my record puts me at a disadvantage against other applicants.

In your own words, tell the court why you want to expunge your conviction. Consider including information like:

- Your plans for the future;
- The reasons you offended, and how your life is different today than it was when you offended;
- How the conviction has hurt your employment chances;
- If you have received any training or education since your conviction;
- Any occurrence in your life that changed how you interact with your community; and
- Any 12-step or religious affiliations you have.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 6/22/2011

Paul Sample

(TYPE OR PRINT NAME)

Date , print name, and sign

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Attorney for     Plaintiff     Petitioner     Defendant  
 Respondent     Other (Specify):

Form Approved for Optional Use  
Judicial Council of California  
MC-031 (Rev. July 1, 2005)


ATTACHED DECLARATION

Check "Defendant"

Petition for Dismissal Attached Declaration (MC-31)



**Order for Dismissal (CR-181)**



**Sacramento Superior Court**  
720 Ninth Street, Sacramento, California 95814

<p><small>Attorney or Party Without Attorney</small> NAME: Paul Sample FIRM NAME: STREET ADDRESS: 1234 Main Street CITY, STATE, ZIP: Sacramento, CA 95811 TELEPHONE NO.: (916) 555-1234 FAX NO.: ( ) E-MAIL ADDRESS paulsample100@email.com ATTORNEY FOR (Name) Paul Sample, in Pro Per</p>	<p style="text-align: right;">CR-181</p> <p style="text-align: center;"><small>COURT USE ONLY</small></p>
<p><b>ORDER FOR DISMISSAL</b> PENAL CODE SECTION §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49</p>	
<p>THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: Paul Sample, in Pro Per</p>	<p>CASE NUMBER: 05012345</p>

The court finds from the records on file in this case, and from the foregoing petition, that the petitioner (*the defendant in the above-entitled criminal action*) is eligible for the following requested relief:

**LEAVE THE REST OF THIS FORM BLANK!**  
The judge will complete this form after reviewing your petition.

ALL FELONY CONVICTIONS in the above-entitled action;

ALL MISDEMEANOR CONVICTIONS in the above-entitled action; **OR**;

Only the following convictions in the above-entitled action (*specify charges and date of conviction*):

2.  The court **DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) for:

ALL FELONY CONVICTIONS in the above-entitled action;

ALL MISDEMEANOR CONVICTIONS in the above-entitled action; **OR**;

Only the following convictions in the above-entitled action (*specify charges and date of conviction*):

3.  The court **GRANTS** the petition for dismissal regarding the following convictions under Penal Code

1203.4,  1203.4a,  1203.4b,  1203.41,  1203.42,  1203.43, or  1203.49 and it is ordered that pleas, verdicts, or findings of guilt be set aside and vacated and a plea of not guilty be entered and that the complaint be, and is hereby, dismissed (and sealed if applicable) for:

ALL CONVICTIONS OR PLEAS FOR DEFERRED ENTRY OF JUDGMENT in the above-entitled action; **OR**;

Only the following convictions or pleas for deferred entry of judgment in the above-entitled action (*specify charges and date of conviction or plea for deferred entry of judgment*):

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Judicial Council of California  
CR-181 Modified for use by Sacramento Superior Court [Rev. January 1, 2023]

ORDER FOR DISMISSAL

Penal Code, §§ 17(b), 17(d)(2), 1203.4  
1203.4a, 1203.4b, 1203.41, 1203.42, 1203.43, 1203.49  
Page 1 of 3



### Criminal History Transcript (Rap Sheet)

California Department of Justice  
Criminal History Transcript

CRIMINAL HISTORY TRANSCRIPT

DATE	AGENCY/FILE NUMBER	COUNT	ACTION
ARREST/DETAINED/CITED 19980922	CASOSACRAMENTO	01	-ATTEMPTED 187 PC MURDER ARRESTED BY CAPDSACRAMENTO
COURT ACTION 19990612	CASACRAMENTO	01	-245(C) PC-ADW -DISMISSED
	98F01234	02	69 PC OBSTRUCTION/RESISTING EXECUTIVE OFFICER -CONVICTED - PROBATION FELONY
			SEN: 003 YEARS PROBATION, WORK PROGRAM

DOB: 19751020

Cal. DOJ Criminal History Transcript

Date Created  
03/30/2023