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).

The court also offers additional information on their <u>Expungement / Dismissal (https://www.saccourt.ca.gov/civil/self-help-services/expungement.aspx)</u> 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)

Templates and Forms

 Sacramento Superior Court Criminal Dismissal (Expungement) Process Guide (https://www.saccourt.ca.gov/criminal/docs/1203-4-dismissal-process.pdf)

Free Video!

Criminal Records Expungement Video (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 <u>Sacramento Superior Court Criminal</u> (Expungement) Dismissal Process (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)

SACRAMENTO COUNTY PUBLIC LAW LIBRARY



609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org

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

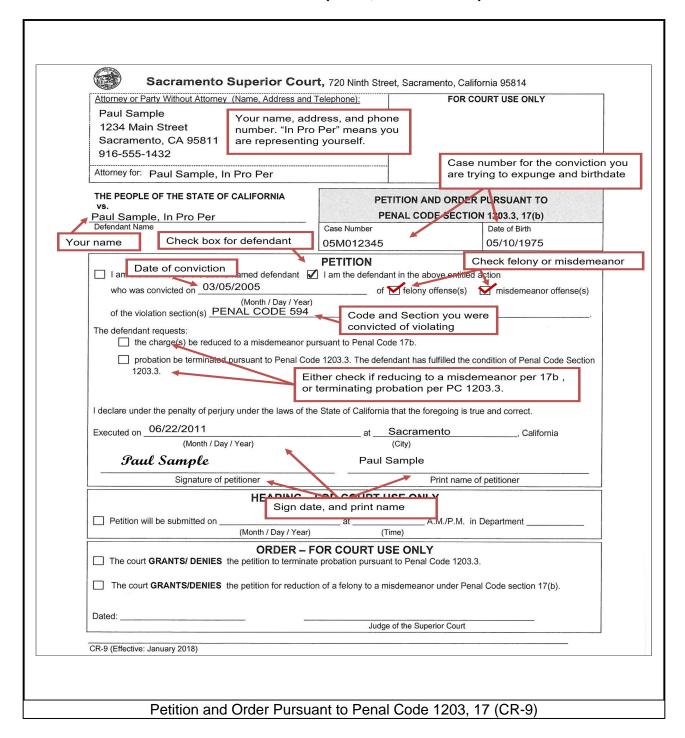
KFC 1155 .C35 Chap. 4

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



Samples

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



Petition for Dismissal (CR-180)

					cramento						
	720 Ninth Street, Sacramento, California 95814										
	Attorney or Party Without Attorney							FOR COUR	T USE ONLY	1	
		Paul Sample Your name, address, phone									
	FIRM NAME	number, and email. Et ADDRESS: 1234 Main Street									
		TATE, ZIP: Sacramento, CA 95811 Provide birthdate and driver's license number									
			Include your, name followed by "In Pro Per", which means you are representing yourself.								
			•	ple, in Pro F			Wille	I	is you are re	presenting yourser	1
	DEFENDAN'	DRIVER'S LIC	ENSE NUMBI	R: CA XX51	2345						
Case n	umber for	the convi		ION FOR DISM							
	trying to	expunge	1)(2), 1203.4, 1203.4a,				<u> </u>			ļ
	THE PEOPL	E OF THE STA	TE OF CALIFO	ORNIA vs. DEFEN	IDANT: Paul S	Sample, in I	Pro Pei	- 4			
		MBER: → 05M012345 DATE OF BIRTH: 05/10/1975				1975					
	(For Court Us				TIME:	Check	the bo	ox statir	ng you are th	e defendant in the	case
				oove named det	fendant <i>or</i>	r ✓ la	m the de	fendant i	n the above entit	led action.	
	0	On (date): 03/05/2005 , the petitioner (the defendant in the above-entitled criminal action) was convicted of a									
Date of	convictio	n of the	following:	Code	Section	Type of offen	.ee.	Fligible	for reduction to	Eligible for reduction to	1
_		h offense in th	e case	Jour	Coccion	(Felony;		misden	neanor under	infraction under Penal	
	noted above	ove) Misdemeanor; Penal Code § 17(b) Code 17(d)(2) Infraction) (Select Yes or No) (Select Yes or No)									
	7	Vandalism Penal 594 ☐ Fel ☑ Mis ☐ Inf ☑ Yes ☐ No ☐ Yel ☐ No									
Describ	oe nature						-				
of offer	ise		Code	and Section	you were	_			es No	Yes No	
			and m	ark Felony,	Misdemea	nor, or Infra	action		es 🗆 No	Yes No	1
				ng offenses, us				n (form N		/	
				with probation the terms and c				ahove-e		nse was a felony,	
				offense, nor on					oodid nave	been charged as	
		petitioner (check all that apply): a. \(\subseteq \) has fulfilled the conditions of prebation for the entire period thereof; where the third apply is the conditions of prebation for the entire period thereof; a. \(\subseteq \) has fulfilled the conditions of prebation for the entire period thereof;									
	b. has been discharged from probation prior to the termination of the period thered 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 other relevant documents.) 3. Misdemeanor or infraction with sentence other than probation (Pen. Code, Check the box next to 2. Then check box										
	Propertion was not granted; more than one year has elapsed since the date of practice, a, b, or c, depending on which best										
		complied with the sentence of the court and is not serving a sentence for any off describes your situation									
		any crime; and the petitioner (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 m check the box next to 3. Check box a if									
	a.										
	b.										
		would be in the interests of justice. You may complete and attach the A you have not been charged or convicted of or submit other relevant documents.)									
	a crime since this case. Check box b if you have had subsequent criminal cases, and Judicial Council of California a crime since this case. Check box b if you have had subsequent criminal cases, and attach a declaration explaining why this										
	CR-180 Modified for use by Sacramento Superior Court [Rev. January 1, 2021] expungement is in the interests of justice.								ustice.		
								_			
			Į.	Petition fo	r Dismis	sal (CR-	180)	(nage	. 1)		





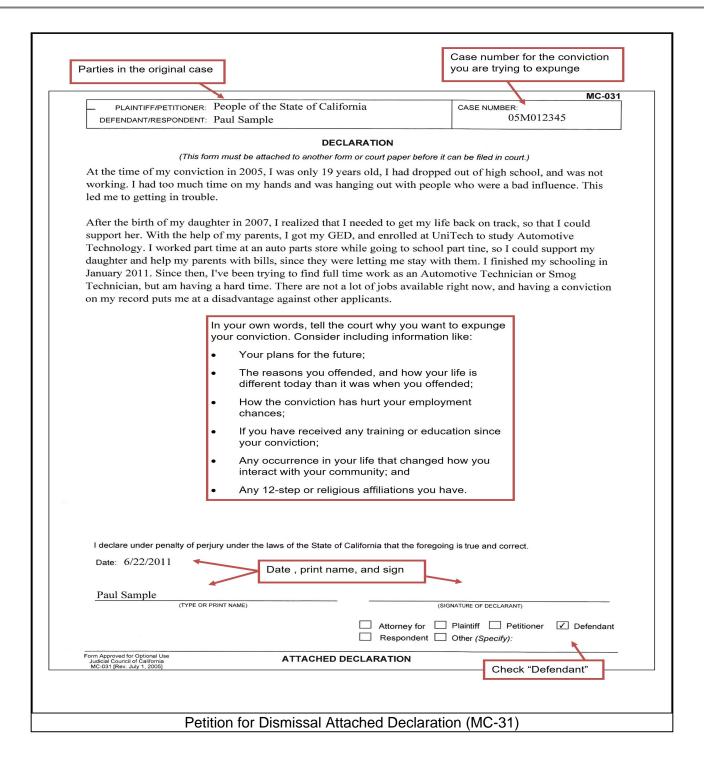
i aui o	ample, In Pro Pe	er		05M0123	45		
	essful participation in the C Code, § 1203.4b)	alifornia Conserv	ation Camp Program o	r county incarce	rated individua	I hand crew	
1203	petitioner has been released fr 4b(a)(1), and has successfully ssful participation means the incarce	y participated in (If you have succe Conservation C individual hand of	amp Progra	m or county	incarcerated	nd
a. 🗆	the California Conservation Secretary of the Department			the informa	tion about th	ne fire camp	
b c	as a member of a county i	ncarcerated individual the interests of ju-	dual hand crew, as deter stice. (Please note: You	must explain why	granting a dism	issal would be	
	e provide the following inform			ipation in fire car	np as a hand cre	w member:	
CDCR	NUMBER:	NAME OF FIRE	CAMP:				
FIRE	CAMP PARTICIPATION DATES	: :					
				our status as a	human trafi	ncking	
6. Felor	complete and attach the Attack y county jail sentence unde etitioner is not under supervis	r Penal Code sec	orm MC-031) or submit of ction 1170(h)(5) (Pen. Co ode section 1170(h)(5)(B	ther relevant doc ode, § 1203.41)) and is not servir	iments. ig a sentence for	r, on probation	
6. Felor	y county jail sentence under entioner is not under supervis charged with the commission more than one year has el	er Penal Code section under Penal corof any offense, and apsed since petition	ction 1170(h)(5) (Pen. Co code section 1170(h)(5)(B and should be granted reli- ction from the granted reli- ction or the granted reli- tion or the granted reli- ction or the granted reli- tion or the granted reli- tion or the granted reli- tion or the granted reli-	ther relevant doctored, § 1203.41) and is not serving in the interests re sentenced	g a sentence for of justice, and to	r, on probation sheek one): son, yet you se	
6. Felor The p for, or a.	y county jail sentence under etitioner is not under supervis charged with the commission more than one year has el mandatory supervision im	er Penal Code section under Penal control of any offense, all apsed since petitionsed under Penal	ction 1170(h)(5) (Pen. Co code section 1170(h)(5)(B and should be granted reli- coner comp. If you we time only	ther relevant doctored, § 1203.41) and is not serving in the interests re sentenced, in a count	g a sentence for of justice, and to state pri	r, on probation	
6. Felon The p	y county jail sentence under supervis charged with the commission more than one year has el mandatory supervision improve than two years have mandatory supervision improved than two years have mandatory supervision improved the sentence of the sentence o	or Penal Code section under Penal code are feny offense, an apsed since petition cosed under Penal elapsed since pet posed under Penal the interests of justice and the interests of justice and code are fenal code	ction 1170(h)(5) (Pen. Code section 1170(h)(5)(Bnd should be cranted reliconer compared to the code section 1170(h)(5) title or time only ittioner cor have you I Code section 1170(h)(5) stice. (Please note: You	ther relevant doctoode, § 1203.41) and is not serving in the interests resentence in a count record exp (I(A). must explain why	g a sentence for of justice, and (s) I to state pri y jail, then y unged under	r, on probation shock one): son, yet you se rou will be eligil r PC 1203.41	
6. Felor The p for, or a	y county jail sentence under supervis charged with the commission more than one year has el mandatory supervision implements of the mandatory supervision implements of justice.	or Penal Code section under Penal code or of early offense, and apsed since petitic posed under Penal elapsed since petitic posed under Penal the interests of just you may complete por to the implement	crim MC-031) or submit or stion 1170(h)(5) (Pen. Code section 1170(h)(5)(B and should no cranted reliment of the control of the control of the code section 1170(h)(5) (Pense note: You have and attach the Attached control of the 2011 Reason o	ther relevant doctored, § 1203.41) and is not serving in the interests are sentenced, in a count, are record exp. (A). must explain why Declaration (for all in the interests are sentenced). Ilignment Legisl	g a sentence for of justice, and to state pri y jail, then y unged unde granting a dismin MC-031) or suitation for a crime	s, on probation son, yet you se rou will be eligil r PC 1203.41 issal would be bmit other	ble t
6. Felor The p for, or a	y county jail sentence under etitioner is not under supervisionarged with the commission of the commission of the commission of the commission of the country supervision important two years have mandatory supervision important of the country supervision in the country s	or Penal Code section under Penal code are of easy offense, at apsed since petitionsed under Penal elapsed since pet obesed under Penal the interests of justyou may complete or to the implemental for the im	ction 1170(h)(5) (Pen. Code section 1170(h)(5)(B and should be cranted reliable to the code section 1170(h)(5)(B and should be cranted reliable to the code section 1170(h)(5) title (Please note: You be and attach the Attached containing to the code section 1170(h)(5) title (Please note: You be and attach the Attached code section 1170(h)(5) title (Please note: You be and attach the Attached code section 1170(h)(5) title (Please note: You be and attach the Attached code section 1170(h)(5) title (Please note: You be and attach the Attached code section 1170(h)(5)(h)(h)(h)(h)(h)(h)(h)(h)(h)(h)(h)(h)(h)	ther relevant doctored, § 1203.41) and is not servir of in the interests re sentenced re sentenced record exp ((A). must explain why Declaration (for lignment Legisl If you were	g a sentence for of justice and // I to state pri y jail, then y unged unde granting a dismin MC-031) or suitation for a crime e sentenced	son, yet you se you will be eligil r PC 1203.41 issal would be brill other	ole 1
may c 6. Felor The p for, or a. C c. C	y county jail sentence under entroner is not under supervisionarged with the commission of the country supervision of the country supervis	or Penal Code section under Penal code are of early offense, at apsed since petitionsed under Penal elapsed since pet obosed under Penal elapsed since pet obosed under Penal the interests of justyou may complete or to the implemental elapsed since the lapsed since the lase, and not servire.	comm MC-031) or submit or stion 1170(h)(5) (Pen. Code section 1170(h)(5) (Bind should be controlled in the code section 1170(n)(5) (Bind should be code shou	ther relevant doctoode, § 1203.41) and is not servir of in the interests re sentenced re sentenced re record exp ((A). must explain why Declaration (for lignment Legisl If you were Realignment	g a sentence for of justice and // I to state pri y jail, then y unged unde granting a dismin MC-031) or suitation for a crime e sentenced	s, on probation son, yet you se rou will be eligil r PC 1203.41 issal would be bmit other	ole t



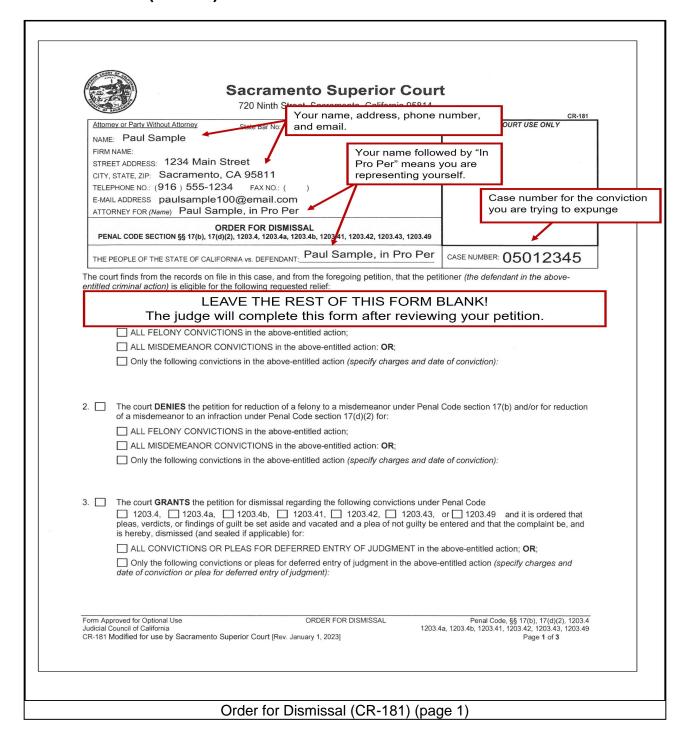


Your name and case number	
PEOPLE OF THE STATE OF CALIFORNIA V. DEFENDANT Paul Sample, In Pro Per	CASE NUMBER 05M012345
Petitioner performed satisfactorily during the period in which defer which were dismissed under Penal Code section 1000.3 on (date) and care):
9. The Petitioner requests that eligible felony offenses listed above be reduced 1/(b).	to misdemeanors under Penal Code section
10. The Petitioner requests that eligible misdemeanor offenses be reduced to in	should match your previous
11. Petitioner requests that he/she be permitted to withdraw the plea of guilty, or and a plea of not guilty be entered and the court dismiss this action under set 1203.4, 1203.4a, 1203.4b, 1203.4b, 1203.41, 1203.42, *Please note: upon granting relief under Penal Code section 1203.4b, the cor supervised release if the court determines that the defendant has not viole supervised release prior to, and during the pendency of, the petition for relief.	ection: 1203.43, 1203.49 of the Penal Code. ourt shall order early termination of probation, parole, lated any terms or conditions of probation, parole, or
I declare under penalty of perjury under the laws of the State of California that the for Executed on:	regoing is true and correct.
(SIGNATURE OF PETITION Sign and Date	ONER OR ATTORNEY)
HEARING – FOR COURT USE	ONLY
Petition will be submitted onat(Time)	
☐ The District Attorney has been notified of this hearing. ☐ Probation has	s 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]	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
Petition for Dismissal (CR-180) (nage 3 of 3)



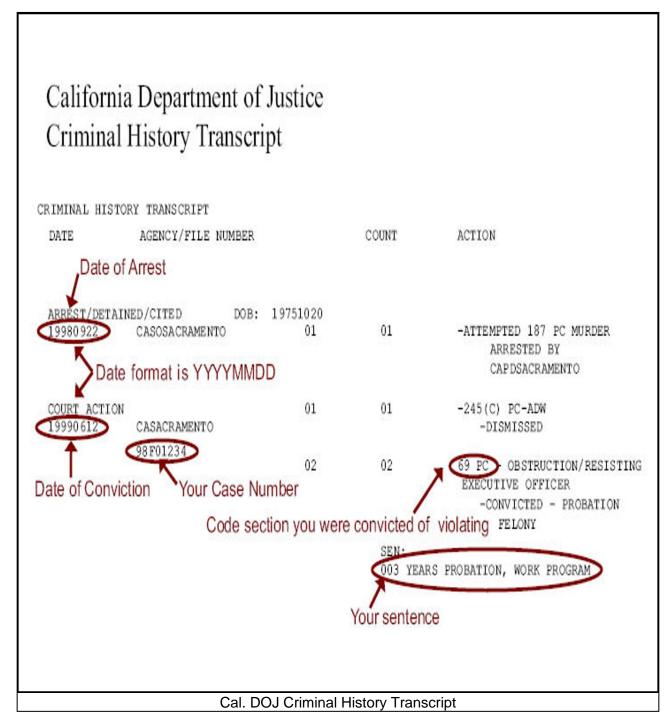


Order for Dismissal (CR-181)





Criminal History Transcript (Rap Sheet)



Date Created 03/30/2023