

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).

This packet also includes the Petition and Order Pursuant to Penal Code 1203.3, 17(b) (Sac Local Form CR-9), which is used to terminate probation early. If you do not need to do this, skip that form.

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.

California Conservation Camp/County Hand Crew (Firefighters) Packet

If you participated in firefighting while incarcerated, either through the Conservation Camp or a county hand crew, you may qualify for dismissal prior to completion of probation, parole, or supervised release. Use the packet for Incarcerated Individual Hand Crew or Institutional Firehouse Participant (https://www.saccourt.ca.gov/criminal/docs/1203-4b-dismissal-process.pdf) instead of this packet.

Other types of relief may be available for:

- people convicted before 2014 of certain theft and drug felonies (Prop 47 petition)
 (https://www.saccourt.ca.gov/criminal/docs/cr-pc-1170-18-petition-filing-information.pdf)
- people convicted before November 2016 of some marijuana-related offenses (Prop 64 petition)
 (https://www.saccourt.ca.gov/general/brochures/docs/cr-337-general-info-prop-64.pdf)

The court's Self Help Services offers an online guide to filling the forms out at <u>Expungement Walkthrough —</u> 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



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

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 (Expungement) Dismissal Process</u>
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

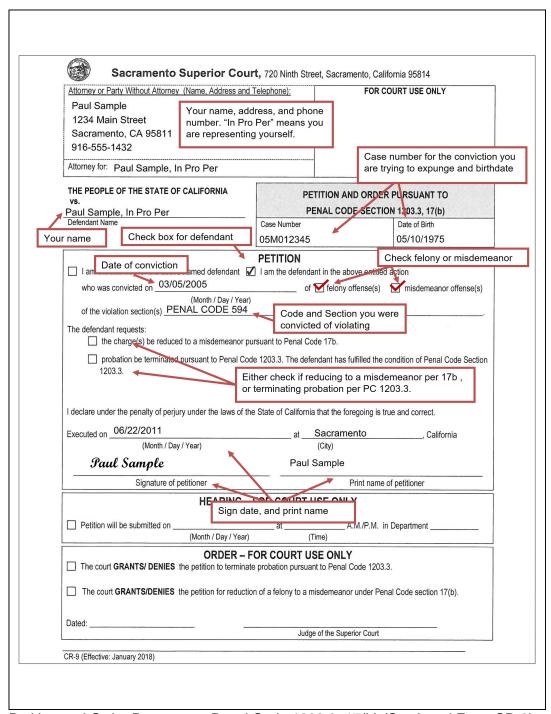
KFC 1155 .C35 Chap. 4

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



Samples

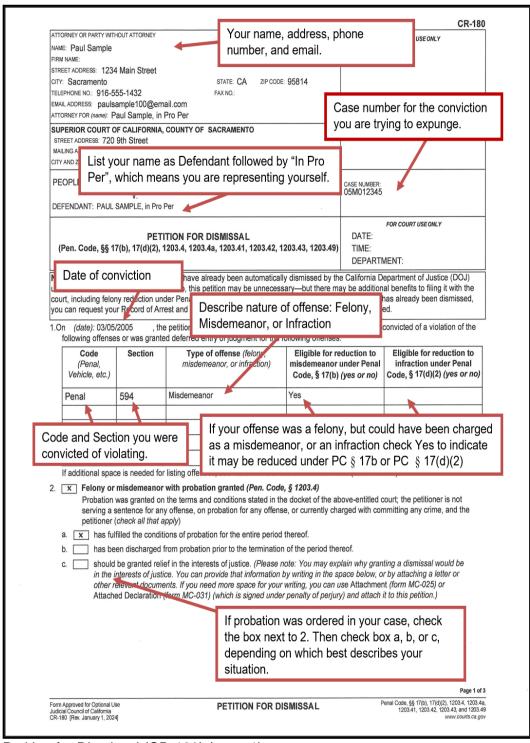
Petition to End Probation Early (Local Form CR-9)



Petition and Order Pursuant to Penal Code 1203.3, 17(b) (Sac Local Form CR-9)

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

Petition for Dismissal (CR-180)



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



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

	Your name and case number	
		CR-180
PEOPLE OF THE STATE OF CALIFORNIA PAUL SAMPLE, in Pro Per	V. DEFENDANT:	CASE NUMBER: 05M012345
Probation was not granted; more the sentence of the court and is not the petitioner (check one)	life since pronouncement of judgment and steres. If probation was not ordered it box next to 3. Check box a if	vas pronounced. Petitioner has complied with ently charged with committing any crime; and conformed to and obeyed the laws of the land; in your case, check the f you have not been me since this case. subsequent criminal on explaining why this
Petitioner has completed a term of pecause the conviction was the resi (Please provide evidence that the contract that information by writing in the space your writing, you can use Attachment of perjury) and Select 4 if you	ult of petitioner's status as a victim of huma conviction was the result of your status as a ace below or by attaching a letter or other not (form MC-025) or Attached Declaration (or conviction was the status as a victim of	le section 647(b) and should be granted relief
§ 1203.41) Petitioner is not on parole or underprobation for, or currently charged v (check one) a more than one year has elapsed supervision imposed under Penson than two years have elapsed mandatory supervision imposed c more than two years have elapsed result in a requirement to registed Penal Code. (Please note: You may explain information by writing in the spa	time only in a county jail, then you your record expunged under PC and sed since petitioner completed the felony control under Penal Code section 1170(h)(5)(A). The sed since petitioner completed the felony start as a sex offender under Chapter 5.5 (start why granting a dismissal would be in the interest below or by attaching a letter or other rement (form MC-025) or Attached Declaration.	ate prison, yet you served tice, and tice, and tou will be eligible to have to 1203.41. The prison sentence without a period of the prison sentence, and the conviction did not riting with section 290) of Title 9 of Part 1 of the interests of justice. You can provide that the televant documents. If you need more space for
CR-180 (Rev. January 1, 2024)	PETITION FOR DISMISSAL	Page 2 of 3

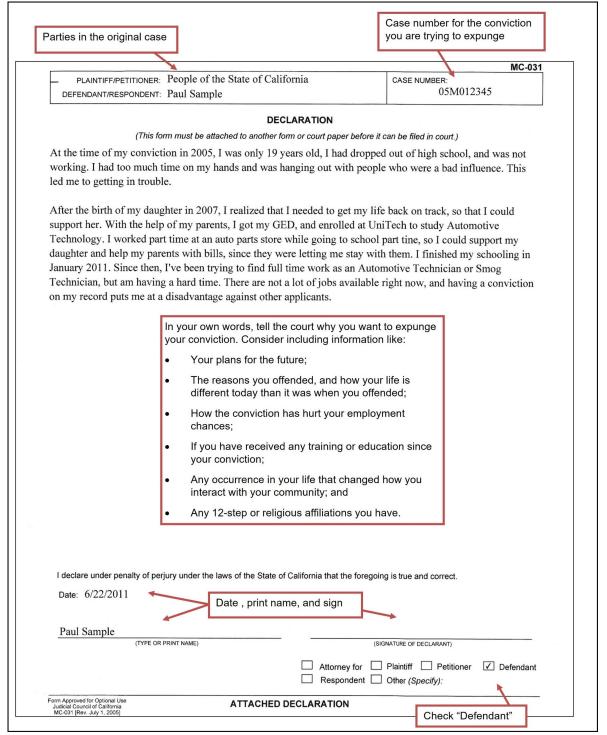
Petition for Dismissal (CR-180) (page 2)

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

	Your name and ca	ase number		
rodi namo and case number				
				CR-180
PEOPLE OF THE STATE OF CALIFORNIA PAUL SAMPLE, in Pro Per	DEFENDANT:		05M012	
6. Felony prison sentence that would Penal Code section 1170(h)(5) (Per Petitioner is not under supervision an any crime more than two years have granted relie in the interests of justic (Please note: You may explain why g by writing in the space below or by at you can use Attachment (form MC-02 attach it to this petition.)	n. Code, § 1203.42) India is not serving a sentence for a elapsed since petitioner comple. In granting a dismissal would be in the complex of the complex	r, on probation pleted the felon in the interests and documents. orm MC-031) (v	for, or cony prison of justic If you n which is	currently charged with committing a sentence; and petitioner should be e. You can provide that information eed more space for your writing, signed under penalty of perjury) and
for deferred entry of judgment. Per (1) has (2) has not attached a copy of petitioner's sta	ring the period in which deferr ner Penal Code section 1000.3 ng the case resolution; or of perjury that the charges we etitioner (check one)	ere dismissed a If you perform which defered and can es PC 1000.3	ormed serred er	ras granted. The criminal . Furthermore (check one), tioner completed the requirements satisfactorily during the period in try of judgment was granted dismissal was granted under le the date of the dismissal.
Petitioner requests that the eligible felony of eligible misdemeanor offenses be reduced Petitioner requests that petitioner be permit.	to infractions under Penal Cod	de section 17(d		or finding of guilt be set aside and a
plea of not guilty be entered and the court of	dismiss this action under the F	Penal Code sec	ction(s) r	oted above.
8 & 9 reinforces what you are requesting the court to do, leave blank				
Date: 05/22/2014	Print Sign, and Da	ate		
Date: 05/22/2011				Paul Sample
PAUL SAMPLE				
(TYPE OR PRINT NAME)			(SIGN	ATURE OF PETITIONER OR ATTORNEY)
CR-180 [Rev. January 1, 2024]	PETITION FOR DISM	ISSAL		Page 3 of 3

Petition for Dismissal (CR-180) (page 3 of 3)

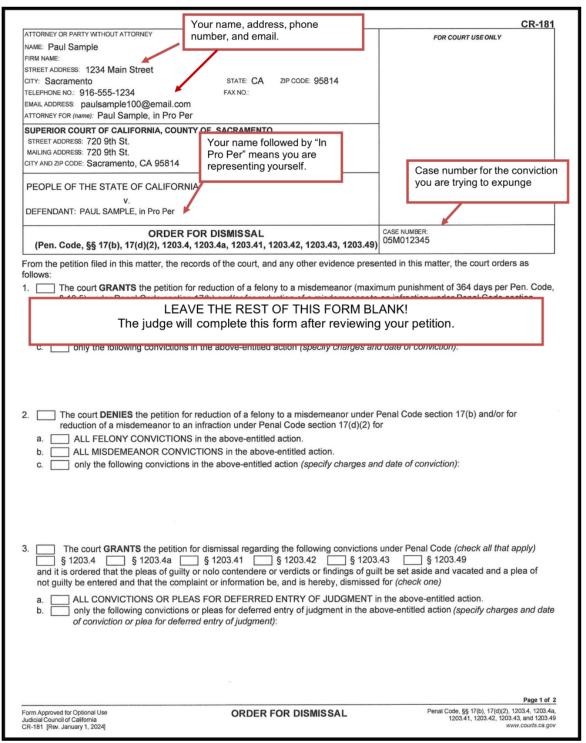
609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org



Petition for Dismissal Attached Declaration (MC-31)



Order for Dismissal (CR-181)



Order for Dismissal (CR-181) (page 1 of 2)



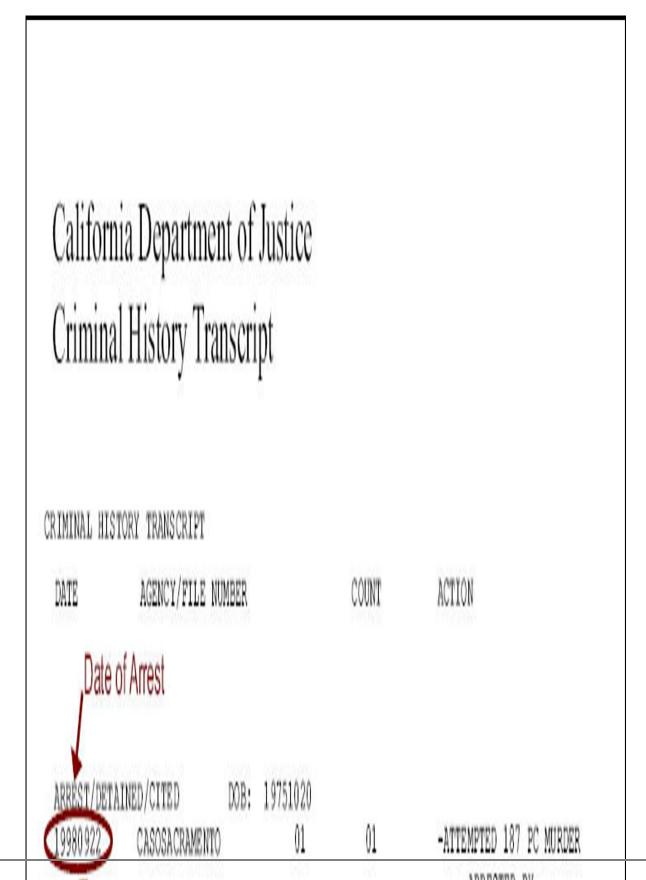
609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org

	Your name, and case number		CD 4	24		
PEOPLE OF THE STATE OF CAL PAUL SAMPLE, in Pro Per	JORNIA v. DEFENDANT:	\	CR-1: CASE NUMBER: 05M012345	81		
The court DENIES the per § 1203.4	etition for dismissal under Penal Code (check a § 1203.41 § 1203.42 § 1203.42 SP PLEAS FOR DEFERRED ENTRY OF JUDyictions or pleas for deferred entry of judgment):	§ 1203.43 DGMENT i	3 \$ 1203.49 for (check one) in the above-entitled action.			
LEAVE THE REST OF THIS FORM BLANK! The judge will complete this form after reviewing your petition.						
human trafficking when pe a. The court orders (check one) (1) the relief described	er the provisions of Penal Code section 1203. stitioner committed the crime.): d in section 1203.4. d in section 1203.4, with the following excepti			•		
b. The Department of Justice is crime, and notified of the relie	s hereby notified that petitioner was a victim o ief ordered.	f human t	trafficking when petitioner committed the			
a. the petitioner is required to d application for public office, of a federally recognized tribe of services" (see Welf. & Inst. C California State Lottery Comb. dismissal of the conviction do	oes not automatically relieve petitioner from the	any direct of or, under I oportive se 2, 14132.9	question contained in any questionnaire or Penal Code section 1203.41, for licensure tervices and "waiver personal care 956, 14132.97)), or for contracting with the	by		
released from all penalties and of (formerly sections 12021 and 12 other offense, the prior conviction or the accusation or information firearm if prevented by Penal Co	provisions of Penal Code section 1203.4, 12 disabilities resulting from the offense except a 2021.1) and Vehicle Code section 13555. In a may be pleaded and proved and shall have dismissed. The dismissal does not permit a pade section 29800 or 29900 (formerly sections om holding public office as a result of that col	as provided any subsect the same person to d s 12021 at	ed in Penal Code sections 29800 and 29900 equent prosecution of the petitioner for any le effect as if probation had not been granter own, possess, or have in their control a and 12021.1). Dismissal of a conviction does	0 ed		
	ction 1203.4 or 1203.4a does not release peti ninal protective order issued under Penal Cod		n 136.2(i)(1), 273.5(j),			
9. In addition, as required by Penal 1203.4, 1203.4a, 1203.41, 1203.duty to provide specimens, samp Database and Data Bank Act (Po	I Code section 299(f), relief under Penal Code .42, or 1203.49 does <i>not</i> release petitioner frr ples, or print impressions under the DNA and en. Code, § 295 et seq.) if petitioner was four led no contest to a qualifying offense as defin	om the se I Forensic nd guilty b	eparate administrative c Identification by a trier of fact, not			
invalidity of petitioner's prior plea	sal granted under the provisions of Penal Coc a due to misinformation in former Penal Code a plea and successful completion of a deferre	section 1	1000.4 regarding the			
1203.4a, 1203.41, or 1203.42, th	enal Code section 1203.425(a)(4), if this order the court must not disclose information concer- son whose conviction was granted relief or to	rning a cor	onviction granted relief to any person or entit	ity,		
Date:			(OFFICE)			
CR-181 [Rev. January 1, 2024]	ORDER FOR DISMISSAL		(JUDICIAL OFFICER) Page 2	of 2		

Order for Dismissal (CR-181) (page 2 of 2)



Criminal History Transcript (Rap Sheet)





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

Cal. DOJ Criminal History Transcript