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BORRAR ANTECEDENTES PENALES (EXPUNGEMENT)

Comprender el paquete de desestimación del Tribunal del Condado de Sacramento

En Sacramento, para solicitarle al tribunal que desestime su condena ("expungement"), descargue el paquete de instrucciones, incluidos los formularios, del sitio web de los Tribunales Superiores de Sacramento: www.saccourt.ca.gov/criminal/docs/1203-4-Dismissal-Process.pdf. Los formularios son modificados para uso en Sacramento. Si su convicción no fue en el condado de Sacramento, use los formularios estatales, disponible por sitio web de Judicial Council: www.courts.ca.gov/forms.

PARA MAS INFORMACION

Por el web:

Cortes de California – centro de ayuda

www.courts.ca.gov/1070.htm?rdeLocaleAttr=es

Este sitio web incluye una sección detallada con información e instrucciones sobre la limpieza de sus antecedentes penales, en español e inglés.

En la Biblioteca de Derecho:

How to Seal Your Juvenile and Criminal Records in California (en inglés)

[KFC 1194 .Z9 S53](#) (Self-Help)

California Criminal Defense Practice (en inglés)

[KFC 1155 .C342](#) Cap. 103

Acceso electrónico: En las computadoras de la Biblioteca de Derecho, al usar *Lexis Advance*.

California Criminal Law Procedure and Practice (en inglés) [KFC 1155 .C35](#) Cap. 4

Acceso electrónico: En las computadoras de la Biblioteca de Derecho, al usar OnLaw.

No use esta guía para borrar su registro en base a:

PC 1203.49, víctimas de trata de seres humanos

Use los formularios estándar del Consejo Judicial que no han sido modificados para el Tribunal Superior del Condado de Sacramento.

SI USTED TIENE ALGUNA PREGUNTA ACERCA DE ESTA GUÍA, O SI NECESITA AYUDA PARA ENCONTRAR O USAR LOS MATERIALES LISTADOS, NO DUDE EN PREGUNTARLE BIBLIOTECARIA.

Advertencia: La intención de esta guía es solo para información general. Su situación pueda que tenga otros factores que requieran procedimientos o formularios diferentes. La información e instrucciones están proporcionadas para el uso en el condado de Sacramento. Cada condado tiene diferentes requisitos. Si usted necesita más asistencia, consulte a un abogado.

Video gratis

“Expunging Your Conviction” (en inglés)
saclaw.org/video-library/expunging-conviction/

Co-patrocinado por la Biblioteca de Derecho del Condado de Sacramento Pública y el Programa de servicios legales voluntarios de California del Norte (en inglés). Este video te guiará a través de la preparación de los formularios necesarios para el proceso de eliminación de antecedentes penales. Las formas han cambiado un poco desde que se creó este video.

CR-9. No es requerido en todos los casos.



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

Attorney or Party Without Attorney (Name, Address and Telephone Number)

Paul Sample
1234 Main Street
Sacramento, CA 95811
916-555-1432

Attorney for: Paul Sample, in Pro Per

Su nombre, dirección y número de teléfono. "En Pro Per" significa que se está representando a sí mismo.

Número de caso para la condena que está intentando eliminar, y fecha de nacimiento

THE PEOPLE OF THE STATE OF CALIFORNIA
vs.
Paul Sample, in Pro Per
Defendant Name

PETITION AND ORDER PURSUANT TO
PENAL CODE SECTION 1203.3, 17(b)

Case Number: 05M012345
Date of Birth: 05/10/1975

Fecha de la condena

Su nombre

Marque la casilla junto "I am the defendant" (yo soy el acusado)

I am the attorney for the above named defendant I am the defendant

was convicted on 03/05/2005 of felony offense(s) misdemeanor offense(s)

Código y Sección que Ud violo y fue condenado

Marque si la condena fue un "felony" (delito grave) o "misdemeanor" (delito menor)

violation section(s) PENAL CODE 594

The defendant requests:

the charge(s) be reduced to a misdemeanor pursuant to Penal Code 17b.

probation be terminated pursuant to Penal Code 1203.3. The defendant has fulfilled the condition of Penal Code Section 1203.3.

Marque si usted está pidiendo a la corte que cualquier delito grave elegible se reduzca a delitos menores por 17b, o que la corte terminar su libertad condicional por PC 1203.3.

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

Executed on 06/22/2011 at Sacramento, California

Signature of petitioner _____ Print name of petitioner _____

HEARING - FOR COURT USE ONLY

Petition will be submitted on _____ in Department _____

(Month / Day / Year) (Time)

ORDER - FOR COURT USE ONLY

The court **GRANTS/ DENIES** the petition to terminate probation pursuant to Penal Code 1203.3.

The court **GRANTS/DENIES** the petition for reduction of a felony to a misdemeanor under Penal Code section 17(b).

Dated: _____ Judge of the Superior Court

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

CR-180



Attorney or Party Without Attorney State Bar No: ONLY

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: yourname@email.com

ATTORNEY FOR (Name) Paul Sample, in pro per
 DEFENDANT DRIVER'S LICENSE NUMBER: CA XX512345

THE PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:
 Paul Sample, in pro per DATE OF BIRTH 05/10/1975

PETITION FOR DISMISSAL
 PENAL CODE SECTION §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43

CASE NUMBER: 05M012345

Distribution:
 Defen
 Attom
 CII # FBI #
 Probation # SPD #
 SSO #

Su nombre, dirección y número de teléfono. "En Pro Per" significa que se está representando a sí mismo

Su nombre, licencia de manejar, y fecha de nacimiento

Número de caso para la condena que está intentando eliminar

Fecha de la condena

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 crim violation of the following:

Marque la casilla junto "I am the defendant" (yo soy el acusado)

Offense (Specify each offense in the case noted above)	Code	Section	Type of offense: (Felony; Misdemeanor; Infraction)	Eligible for record misdemeanor under Penal Code § 17(b) (Select Yes or No)	Infraction under Penal Code 17(d)(2)
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
			<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

Tipo de delito, Código y Sección que usted violo y fue condenado

Si su ofensa fue un delito mayor, pero podría haber sido acusado como un delito menor, marque "Yes" (sí) para indicar que se puede reducir bajo PC § 17.

Si se ordenó la libertad condicional en su caso, marque la casilla junto a 2. A continuación, marque las casillas a, b y c, dependiendo de cuál es la que mejor describe su situación.

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-ent... serving a sentence for any offense, nor on probation for any offense, nor under charge of... petitioner (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... would be in the interests of justice. You may complete and attach the Attached D... other relevant documents.)

3. **Misdemeanor or infraction with sentence other than probation (Pen. Code, § 1203.4a)**
 Probation was not granted; more than one year has elapsed since the date of pronouncem... complied with the sentence of the court and is not serving a sentence for any offense or un... 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 must explain... would be in the interests of justice. You may complete and attach the Attached D... or submit other relevant documents.)

Si no se ordenó la libertad condicional en su caso, marque la casilla junto a 3. Marque la casilla a si no ha sido acusado o condenado por un crimen desde este caso. Marque la casilla b si ha tenido casos penales subsiguientes y adjunte una declaración explicando por qué esta eliminación de sus antecedentes criminales es en el mejor interés de la justicia.

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PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT
 Paul Sample, in pro per

CASE NUMBER
 05M012345

Su nombre y número del caso

4. **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, or probation for, or charged with the commission of any offense, and should be eligible for expungement under Penal Code section 1170(h)(5)(B).
 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).

Si usted sólo fue sentenciado a prisión estatal, sin embargo, sólo cumplió el tiempo en una cárcel del condado, entonces usted será elegible para tener su registro expurgado bajo PC 1203.41.

(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.

5. **Felony Conviction sentenced prior to the implementation of the 2011 Realignment Legislation for a crime which he/she would otherwise be eligible for sentencing pursuant to section 1203.42).**
 a. More than two years have elapsed since the completion of the sentence for, or probation for, or charged with the commission of any offense.
 b. Not under supervised release, and not serving a sentence for, or probation for, or charged with the commission of any offense.

Si usted fue sentenciado antes de la ley de Realignment (2011), por PC 1203.42.

6. **Deferred entry of judgment (Pen. Code, § 1203.43)**
 Petitioner performed satisfactorily during the period in which deferred entry of judgment was granted, and the charges were dismissed under Penal Code section 1000.3 on (date): _____
 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
 has not

Si usted se desempeñó satisfactoriamente durante el período en que se concedió el aplazamiento de la sentencia y se desestimaron los cargos criminales bajo PC § 1000.3.

Marque 7, 8 o 9. Debe su respuesta en las preguntas 1-6.

Attached a copy of his or her state summary criminal history information.

7. The Petitioner requests that eligible felony offenses listed above be reduced to misdemeanors under Penal Code section 17(b).
 8. The Petitioner requests that eligible misdemeanor offenses be reduced to infraction under Penal Code section 17(d)(2).
 9. Petitioner requests that he/she be permitted to withdraw the plea of guilty, or that the verdict or finding of guilt be set aside and a plea of not guilty be entered and the court dismiss this action under section:
 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43 of the Penal Code

7, 8 o 9

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

Executed on: 06/22/2011 (DATE) (SIGNATURE OF PETITIONER OR ATTORNEY)

Fecha y Firma

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.

CR-181

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

CR-181



Attorney or Party Without Attorney		State Bar No:
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: yourname@email.c		
ATTORNEY FOR (Name): Paul Sample, in pro per		
THE PEOPLE OF THE STATE OF CALIFORNIA	vs.	DATE OF BIRTH
DEFENDANT: Paul Sample, in pro per		05/10/1975
ORDER FOR DISMISSAL		CASE NUMBER
PENAL CODE SECTION §§ 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, 1203.42, 1203.43		05M012345

Su nombre, dirección y número de teléfono. "En Pro Per" significa que se está representando a sí mismo.

Su nombre and fecha de nacimiento

Número de caso para la condena que está intentando eliminar

DEJE EL RESTO DE ESTE FORMULARIO EN BLANCO!
El juez completará este formulario después de revisar su petición.

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:

1. The court **GRANTS** the petition for reduction of a felony to a misdemeanor (maximum punishment of 364 days per Pen. Code, §18.5) under Penal code section 17(b) and/or for reduction of a misdemeanor to an infraction under Penal Code section 17(d)(2) and reduces the following convictions:

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, 1203.41, 1203.42, or 1203.43 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 for:

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

Su nombre

Su número de caso

PEOPLE OF THE STATE OF CALIFORNIA v DEFENDANT: Paul Sample	CASE NUMBER: 05M012345
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DEJE EL RESTO DE ESTE FORMULARIO EN BLANCO!
El juez completará este formulario después de revisar su petición.

b. the relief described in section 1203.4., with the following exceptions (*specify*):

6. If this order is granted under the provisions of Penal Code section 1203.4 or 1203.41.
 - a. The petitioner is required to disclose the above conviction in response to any direct question contained in any questionnaire or application for public office, or for licensure by any state or local agency, or for contracting with the California State Lottery Commission; and
 - b. Dismissal of the conviction does not *automatically* relieve petitioner from the requirement to register as a sex offender. (See, e.g., Pen. Code, § 290.5.)
7. If the order is granted under the provisions of Penal Code section 1203.49, the Department of Justice is hereby notified that petitioner was a victim of human trafficking when he or she committed the crime, and of the relief ordered.
8. If the order is granted under the provisions of either Penal Code section 1203.4, 1203.4a, 1203.41, or 1203.49, the petitioner is released from all penalties and disabilities resulting from the offense except as provided in Penal Code sections 29800 and 29900 (formerly sections 12021 and 12021.1) and Vehicle Code section 13555. In any subsequent prosecution of the petitioner for any other offense, the prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed. The dismissal does not permit a person to own, possess, or have in his or her control a firearm if prevented by Penal Code sections 29800 or 29900 (formerly sections 12021 and 12021.1). Dismissal of a conviction does not permit a person prohibited from holding public office as a result of that conviction to hold public office.
9. In addition, as required by Penal Code section 299(f), relief under Penal Code sections 17(b), 17(d)(2), 1203.4, 1203.4a, 1203.41, or 1203.49 does *not* release petitioner from the separate administrative duty to provide specimens, samples, or print impressions under the DNA and Forensic Identification Database and Data Bank Act (Pen. Code, § 295 et seq.) if petitioner was found guilty by a trier of fact, not guilty by reason of insanity, or pled no contest to a qualifying offense as defined in Penal Code section 296(a).
10. The basis for an order of dismissal granted under the provisions of Penal Code section 1203.43 is the invalidity of defendant's prior plea due to misinformation in Penal Code section 1000.4 regarding the actual consequences of making a plea and successful completion of a deferred entry of judgment program.

FOR COURT USE ONLY

Date:

(JUDICIAL OFFICER)

MC-031

MC-031

PLAINTIFF/PETITIONER: People of the State of California	CASE NUMBER: 05M012345
DEFENDANT/RESPONDENT: Paul Sample	

DECLARATION

Partes en el caso original

... must be attached to another form or court paper before it can be

Número de caso para la condena que está intentando eliminar

At the time of my conviction in 2005, I was only 19 years old, I had dropped out 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.

En sus propias palabras (en inglés), dígame a la corte por qué quiere borrar su condena. Considere la posibilidad de incluir información como:

- Sus planes para el futuro;
- Las razones por las que te ofendiste, y cómo tu vida es diferente hoy que cuando te ofendiste;
- Cómo la convicción ha perjudicado sus oportunidades de empleo;
- Si ha recibido algún entrenamiento o educación desde su convicción;
- Cualquier incidencia en su vida que cambió su forma de interactuar con su comunidad; Y
- Cualquier afiliación religiosa o de 12 pasos que tenga.

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

Fecha, escribe su nombre, y firma

Paul Sample

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Marque "Defendant" (acusado)

- Attorney for Plaintiff Petitioner Defendant
 Respondent Other (Specify):

Ejemplo: Antecedente Penal del Condado de Sacramento

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Case Information

Defendant Name	JOHN SMITH	Charge Document	Complaint
Case Number	18M01234	Case Status	Disposed
Xref	123456	Court ID	123456
Filing Date	01/01/2018		

Aliases

First Name	Middle Name	Last Name	Suffix
JOHN		SMITH	

Related Cases

Case Number	Filing Date	Court ID
No related cases found.		

Charges

Count	Charge	Severity	Degree	Allegation	Blood Alcohol %
C001	PC 594	Misdemeanor	N/A	N/A	N/A

Future Hearings

Date	Time	Dept.	Reason	Outcome
No future hearings found.				

Hearing History

Date	Time	Dept.	Reason	Outcome
02/02/2018	8:30 AM	A	ARRAIGNMENT	DEFENDANT SENTENCED

Charge Dispositions

Count	Plea	Charge	Disposition Code	Disposition Date	Severity	Degree
C001	No Contest	PC 594	No Contest	02/02/2018	Misdemeanor	

Sentence Summary

Count	Sentence Type	Sentence Date	Prob. Type	Prob. Status	Prob. Term	Prob. Sup.	Custody Program	Custody Length	LT Code	LT Time	LT Sup.
C001	Conversion	06/05/1989									
CASE	Conversion	06/05/1989	Informal Probation	Granted / Non-Searchable	3Y						

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Su número de caso y otra información

Sección del Código a la que fue condenado por violar

Fecha de la convicción

Delito menor ("Misdemeanor") o Felonía ("Felony")

Términos de su sentencia

>>Home >>Law 101

Ejemplo: Historial Criminal del Departamento de Justicia de California

California Department of Justice Criminal History Transcript

CRIMINAL HISTORY TRANSCRIPT	AGENCY/FILE NUMBER	DOB:	COUNT	ACTION
DATE 19980922	ARREST/DETAINED/CITED CASOSACRAMENTO	19751020	01	-ATTEMPTED 187 PC MURDER ARRESTED BY CAPDSACRAMENTO
Formato de fecha es AAMMDD				
COURT ACTION 19990612	CASACRAMENTO		01	-245(C) PC-ADW -DISMISSED
Fecha de la condena	98F01234		02	69 PC OBSTRUCTION/RESISTING EXECUTIVE OFFICER -CONVICTED - PROBATION FELONY
Fecha del arresto				SEN. 003 YEARS PROBATION, WORK PROGRAM

Su sentencia