

IN THE DISTRICT COURT OF SALINE COUNTY, KANSAS

STATE OF KANSAS
Plaintiff

v.

Case No. _____

Defendant

**PETITION FOR EXPUNGEMENT OF ARREST
AND CONVICTION OR DIVERSION**

Pursuant to K.S.A. 21-6614

COMES NOW _____, Defendant, pursuant to the provisions of K.S.A. 21-6614, and petitions this Court for an Order of Expungement of the arrest and conviction/diversion in the above-captioned action.

IN SUPPORT of this Petition, Defendant shows to the Court as follows:

1. Defendant's full name at the time of arrest and conviction or diversion:
_____;
2. Defendant's full name at the present time if different than above:
_____;
3. The Defendant's sex, race, and date of birth are as follows:
 - a. Sex: _____
 - b. Race: _____
 - c. Date of Birth: _____
4. The arresting agency was _____.
5. The crime(s) for which the Defendant was convicted/or granted a diversion for was _____.
6. The date of the Defendant's arrest, conviction, or diversion was _____.
7. The date of final discharge was _____.

8. The Defendant has not been convicted of any felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against Defendant.
9. More than ____ three ____ five ____ ten years (check appropriate box) have elapsed since the defendant fulfilled the terms of a diversion agreement, satisfied the sentence imposed, or was discharged from probation, a community services program, parole, post-release supervision, conditional release, or a suspended sentence.
10. The circumstances and behavior of the Defendant warrant the expungement prayed for herein; the Defendant is a productive member of society.
11. The expungement sought by Defendant is consistent with the public welfare.
12. The conviction or diversion for which expungement is sought is not one of the offense set out in K.S.A. 21-6614(c), for which no expungement is permitted.
13. The Defendant is not required to register as provided in the Kansas Offender Registration Act.

WHEREFORE, DEFENDANT PRAYS

- A. That hearing be set and had upon the matters set forth above herein; and
- B. That, following hearing herein, the Court find:
 - (1) That the Defendant has not been convicted of any felony in the past ____ years and that no proceeding involving any such crime is presently pending or being instituted against Defendant;
 - (2) That the circumstances and behavior of the Defendant warrant the expungement prayed for herein; and
 - (3) That the expungement sought by the Defendant is consistent with the public welfare.
- C. That the Court order and decree that the record of conviction or diversion in the above-captioned action be expunged.
- D. That the Court direct the Clerk of this Court to send a certified copy of this Order of Expungement to the Kansas Bureau of Investigation, which shall

notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest, conviction, or diversion.

DATED at Salina, Kansas, this _____ day of _____, 20_____.

Defendant, Pro Se

Address

City, State, Zip

Telephone Number

Email address

VERIFICATION

STATE OF KANSAS }
 }
COUNTY OF SALINE }

_____, being of lawful age and duly sworn upon oath, declares that I have read the foregoing Petition for Expungement of Arrest and Conviction or Diversion, I am familiar with the contents contained therein, and that all statements are true and accurate.

(Defendant's Name Here)

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

My Commission Expires:

CERTIFICATE OF SERVICE

THIS CERTIFIES that an accurate photocopy of the document to which this Certificate is affixed has been or will be served upon the parties identified below by delivering same and/or depositing same in the United States Mail, postage prepaid, addressed to the person at the addresses below; to wit:

Saline County Attorney
300 W. Ash, Rm 302
Salina, KS 67401
Attorney for State of Kansas

And the original filed with

Clerk of the District Court
300 W. Ash, Rm 307
Salina, KS 67401

on this _____ day of _____, 20_____.

Defendant's Name