

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.: FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
<b>PETITION FOR EXPUNGEMENT OF DNA PROFILES AND SAMPLES (Pen. Code, § 299)</b>		Court or Arresting Agency Case Number:
<b>PETITIONER'S INFORMATION</b> NAME: CII: DRIVER'S LICENSE #: SSN # (Last four digits only): DATE OF BIRTH:		

**PETITION**

1. Petitioner has been included in the California Department of Justice's DNA and Forensic Identification Database and Data Bank Program as required by Penal Code section 296.
2. No past or present offense or pending charge qualifies petitioner for inclusion in the California Department of Justice's DNA and Forensic Identification Database and Data Bank Program, nor is there any legal basis for the continued retention of petitioner's specimen, sample, or searchable profile.
3. Petitioner requests that the California Department of Justice destroy petitioner's DNA sample or specimen, or both, and expunge petitioner's searchable DNA database profile as provided for in Penal Code section 299 on the following grounds (check one):
  - a.  No qualifying charges were filed within the applicable period allowed by law following petitioner's arrest.
  - b.  The qualifying charges were dismissed before adjudication.
  - c.  The qualifying conviction has been reversed and the case dismissed.
  - d.  Petitioner has been found factually innocent of the qualifying offense under Penal Code section 851.8 or Welfare and Institutions Code section 781.5.
  - e.  Petitioner was acquitted or found not guilty of the qualifying offense.
  - f.  Petitioner's previously sustained delinquency petition alleging an offense that would be a felony if committed by an adult has been reversed and dismissed.
4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on: \_\_\_\_\_ at \_\_\_\_\_, California.  
 (DATE) (CITY)

► \_\_\_\_\_  
 (PETITIONER'S SIGNATURE)

\_\_\_\_\_ (PETITIONER'S ADDRESS) (CITY) (STATE) (ZIP CODE)

**ADDITIONAL INSTRUCTIONS:** Penal Code section 299(c)(1) requires petitioner to send a copy of this petition to the DNA Laboratory of the California Department of Justice, and the trial court and prosecuting attorney of the county where petitioner was arrested, convicted, adjudicated, or had the disposition rendered, and to provide the court with proof of service on all parties.

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