

Before using this form, read *Information on How to File a Petition to Seal Arrest and Related Records* (form CR-409-INFO), available at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms).

**Note to petitioner:** If your arrest did not result in a conviction and meets certain other conditions, you may have already been granted automatic arrest record relief by the California Department of Justice (DOJ) under Penal Code section 851.93. A petition to seal may be unnecessary if the DOJ has granted automatic relief—but there may be additional benefits to filing a petition with the court. If you want to know if you have already been granted relief, you can request your Record of Arrest and Prosecution (RAP) sheet from the DOJ, but this is not required.

## 1 Petitioner's Information

a. Your Full Name: \_\_\_\_\_

Date of birth: \_\_\_\_\_ (mm/dd/yyyy)

Your Lawyer (*if you have one for this case*):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

b. Your Address (*If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead.*)

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Fill in the name and street address of the court that you are filing the petition in:

**Superior Court of California, County of**

If charges were filed against you and there is a court case associated with your arrest, fill in the case number and case name below. You do not need to fill out the boxes if an arrest happened but no criminal complaint was filed or charged in court:

**Trial Court Case Number:**

**Trial Court Case Name:**  
People of the State of California v.

## 2 Notice of Court Hearing (*clerk fills out section below*)

A court hearing is scheduled on this petition as follows:

**Hearing Date**

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above:

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If an interpreter is needed, please specify the language: \_\_\_\_\_

## 3 Information About Your Case (*provide as much information as you can*)

- a. Date of the arrest you are requesting to be sealed: \_\_\_\_\_ (mm/dd/yyyy)
- b. Where did the arrest happen? Include the city and county: \_\_\_\_\_
- c. What law enforcement agency made the arrest? If it was a police department, include the city (*for example, ABC City Police Department*). If it was a county sheriff, list the county. \_\_\_\_\_
- d. What is the arrest report number or police report number, if available? \_\_\_\_\_

- 3** e. What were the offenses for which you were arrested (for example, Penal Code section 242 for battery)?

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- f.  The prosecutor filed a case against me (*check if true*).

If checked, what were the charges the prosecutor filed (for example, Penal Code section 242 for battery)?

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- g. If you would like to explain the information provided, please do so below, or complete and attach *Attached Declaration* (form MC-031) or submit other relevant documents.

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- h. Check any box that applies:

- I am entitled to have this arrest (the arrest described in **3** of this petition) sealed as a matter of right because the arrest did not result in a conviction, and I satisfy the requirements of Penal Code section 851.91.
- I am requesting to have the arrest sealed in the interests of justice. (Relief is unavailable as a matter of right if the arrest was for domestic violence, child abuse, or elder abuse, **and** petitioner's record shows a "pattern" of arrests and/or convictions for the same type of offense.) (Pen. Code, § 851.91(c)(2)(A).)
- (Describe below how this is in the interests of justice. In deciding whether to grant this request, the court may consider any important factors, including hardship and difficulties caused by the arrest; statements or evidence regarding your good character; statements or evidence regarding the arrest; your record of convictions; or any other important factors. You may provide statements or evidence from you, from others, or both.)*

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Please attach any additional signed and dated statements with the petition. Additional statements from you should be submitted on the *Attached Declaration* (form \_\_\_\_\_).

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: \_\_\_\_\_



Type or print your name

Signature of Petitioner or Attorney