

**IN THE MIAMISBURG MUNICIPAL COURT OF MIAMISBURG, OHIO  
CRIMINAL DIVISION**

STATE OF OHIO

CASE NO. \_\_\_\_\_

SETS \_\_\_\_\_

VS.                      **Plaintiff**

JUDGE \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Defendant**

**POVERTY AFFIDAVIT**  
**[R.C. 2323.30, 2323.31 and**  
**Mont. D.R. Rule 4.04(B)]**

\_\_\_\_\_  
I, \_\_\_\_\_, being duly sworn, says:

1. I am a party in the foregoing action;
2. I am without the funds or assets to give security or a cash deposit to secure costs at this time;
3. I understand that I must inform the court if my financial situation should change before the disposition of my case;
4. I understand that I am subject to criminal charges for providing false information;
5. I understand that if it is determined by the court, that I was not entitled to the suspended deposit/costs that were provided to me, I may be required to reimburse the county for the costs.

6. I understand that the court will ultimately determine which party will be responsible for the payment of costs in this case, unless costs are waived.

\_\_\_\_\_  
SIGNATURE OF AFFIANT

Sworn before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**IN THE MUNICIPAL COURT OF MIAMISBURG, OHIO  
CRIMINAL DIVISION**

**STATE OF OHIO**

Plaintiff,

vs.

DEFENDANT'S NAME

ADDRESS

CITY, STATE, ZIP

DOB: \_\_\_\_\_, SSN(last 4 digits): \_\_\_\_\_

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CASE NO: \_\_\_\_\_

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Judge Robert W. Rettich, III

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**APPLICATION FOR ORDER OF  
EXPUNGEMENT AND/OR  
ORDER TO SEAL RECORD  
(ORC §2953)**

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**NOW COMES** the Defendant herein, who makes application for an Order of Expungement and/or Order to Seal Record, pursuant to Sections 2953.31 through 2953.55 of the Ohio Revised Code, which sections provide for the expungement and sealing of the record of an eligible misdemeanor conviction, or of a non-conviction, as a result of dismissal or not guilty finding.

If this application is being made to expunge a conviction, the Defendant states that he or she has fulfilled all sentencing provisions, and that more than one year has passed since the Defendant was released from probation.

The Defendant contends that he or she is entitled to an Order of Expungement and/or Order to Seal Record, because he or she meets all of the prerequisites provided in the Ohio Revised Code, to wit: (1) Defendant is an eligible offender; (2) that there are no criminal proceedings pending against the Defendant; (3) that the Defendant's rehabilitation has been attained; and (4) that the expungement of this record of conviction is consistent with the public interest.

**WHEREFORE**, the Defendant respectfully moves this Court to set the matter for hearing, and for an Order expunging and/or sealing this record.

DEFENDANT'S SIGNATURE

Phone Number(s)

**NOTE: FILING COST IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IS DUE UPON FILING.**