

## CHECKLIST

- ☐ Make sure you are eligible (see next page).
- ☐ Gather any supporting documents you think will help your application. These can include documents such as a Certificate of Relief from Disabilities or a Certificate of Good Conduct; verification of employment; community service, volunteer or charity work; educational transcripts; letters of recommendation or commendation from employers, teachers/professors, community leaders, faith leaders, or charitable organizations; certificates of successful completion of training programs, drug or alcohol treatment programs; etc. Attach copies (not originals!) to your application.
- ☐ Get a “certificate of disposition” for each conviction you want to seal. Attach copies to your application.
- ☐ Complete the application.
- ☐ Get your application notarized (page 3 of the application). If you use additional pages for your sworn statement of your reasons for sealing, then you must also sign, date and have this notarized on the last page of your statement. Make two copies of your full application.
- ☐ “Serve” the prosecutor: Before you file your application with the Court, you or another person must mail or deliver a copy of your full application to the prosecutor(s). This is called “serving” them. If the application is served in person, make sure your copy and the copy you will file with the court are stamped “received.”
- ☐ If you did not get your copy stamped at the prosecutor’s office by appearing in person, then you must complete the Affidavit of Service, get it notarized and attach it to the application. The Affidavit of Service must be completed by the person who mailed the application to the prosecutor’s office.
- ☐ File your original application with attached copies of supporting documents with the court. Make sure that your original is stamped “received” by the prosecutor or that you have attached the Affidavit of Service if you submitted your application to the prosecutor by mail or did not get it stamped “received.”
- ☐ Keep copies of all the papers you filed for your records.

## C.P.L. §160.59 PRO SE APPLICATION

PLEASE READ THESE INSTRUCTIONS COMPLETELY BEFORE STARTING THE APPLICATION

### ARE YOU ELIGIBLE?

#### DO YOU HAVE MORE THAN TWO (2) CRIMINAL CONVICTIONS (MISDEMEANOR OR FELONY)?

(If you have more than one conviction that was “committed as part of the same criminal transaction,” they count as a single conviction under this law.)

Yes No

#### DO YOU HAVE MORE THAN ONE FELONY CONVICTION?

(If you have more than one conviction that was “committed as part of the same criminal transaction,” they count as a single conviction under this law.)

Yes No

#### HAVE LESS THAN TEN YEARS PASSED SINCE YOUR LAST CRIMINAL CONVICTION?

(Start counting the ten-year period from the date you were *sentenced* OR, if you were incarcerated after being sentenced, from the date you were *released* from incarceration. Time spent on probation or parole counts toward the ten-year period.)

Yes No

#### ARE YOU REQUIRED TO REGISTER AS A SEX OFFENDER?

Yes No

#### ARE YOU APPLYING TO SEAL AN INELIGIBLE OFFENSE?

(INELIGIBLE offenses include sex offenses, sexual performance by a child, homicide, violent felonies, Class A felonies, felony level conspiracy cases to commit an ineligible offense, and attempts to commit ineligible offenses if the offense still constitutes a felony. There is a complete list of ineligible offenses at the end of these instructions.)

Yes No

#### DO YOU CURRENTLY HAVE AN OPEN CRIMINAL CASE?

Yes No

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If you answered **YES** to any of the above questions, you are not eligible to have your record sealed. Your application will be **DENIED**.

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If you answered **NO** to all the questions, COMPLETE THE ATTACHED APPLICATION, have it notarized, serve a copy on the prosecutor’s office (see link to list of prosecutors’ addresses statewide, next page) and file the original with the court.

**Note:** Before deciding this motion, the law requires the court to have a fingerprint-based criminal history report (rap sheet), which will include any sealed or suppressed cases, and any criminal history information that occurred in jurisdictions outside of New York. By filing this Notice of Motion, you are agreeing to be fingerprinted if required. When the motion is filed, the court clerk will give you instructions if you must be fingerprinted.

**Note:** IF YOU ARE NOT A CITIZEN OF THE UNITED STATES, sealing a conviction under C.P.L. §160.59 DOES NOT seal the conviction for immigration purposes.

## WHAT DO I NEED TO DO?

1. **GET A CERTIFICATE OF DISPOSITION FOR EACH CASE YOU ARE APPLYING TO SEAL.** You may already have a Certificate of Disposition. If not, contact the clerk's office of the court where you will apply to seal your case, which is the court where you were convicted and sentenced. If you are applying to seal more than one case, you must get a Certificate of Disposition for each case. If you cannot get a Certificate of Disposition, you must attach a written explanation of why you cannot get one. A form to request a Certificate of Disposition from the court is available online at:  
<https://www.nycourts.gov/LegacyPDFs/forms/criminal/pdfs/CoDRequestForm-fillable.pdf>
2. **COMPLETE and NOTARIZE your application.** If you used additional page(s) for your statement, you must sign, date and notarize the last page of your statement as well. You do NOT need to notarize documents you attach in support of your application, such as letters of reference or training certificates.
3. **MAKE 2 FULL COPIES (for a total of three, the original plus two copies) of your application, including all attached documents.** If you have cases from 2 different counties, make 3 (for a total of four, the original plus three copies) full copies.
4. **SERVE THE PROSECUTOR.** Before you file your application with the Court, you or another person must mail or deliver a copy of your full application to the prosecutor(s). This is called "serving" them. A list of prosecutors' offices can be found online at:  
[http://www.nycourts.gov/FORMS/cpl\\_160.59\\_sealing\\_application/pdfs/List\\_of\\_District\\_Attorneys\\_Offices.pdf](http://www.nycourts.gov/FORMS/cpl_160.59_sealing_application/pdfs/List_of_District_Attorneys_Offices.pdf)  
**NOTE:** If you are applying to seal convictions from two different counties, you must serve your motion on the prosecutor of each county. The prosecutor is usually the District Attorney, but if your case was prosecuted by the Attorney General or Special Narcotics Prosecutor, serve them instead.
  - **If you or another person are serving the motions on the prosecutor in person:**
    1. Bring all copies to the appropriate prosecutor's office(s).
    2. Ask the prosecutor's office to stamp all copies as "received" and leave one copy with the clerk of that office. If you are serving more than one prosecutor, the copy you keep for yourself and the copy you file with the court should be stamped as "received" by *both* prosecutors' offices.
  - **If you or another person are serving by mail:**

Mail one copy of your full application to the appropriate prosecutor's office. You will need to mail a copy to each prosecutor's office if you are applying to seal cases from different counties. Certified mail is recommended, so you have proof of mailing.
5. **GET PROOF OF SERVICE.** If your application was served in person and time stamped by the prosecutor's office, this is proof of service. If your application was not time stamped by the prosecutor's office, you must complete the Affidavit of Service (at the back of this application), sign and have it notarized. If a person other than you served the application and it was not time stamped by the prosecutor's office, that person must complete the Affidavit of Service. If more than one prosecutor's office was served, the person who served the application must complete a separate Affidavit of Service for each prosecutor that was served.
6. **FILE YOUR APPLICATION.**
  - Attach the original Affidavit(s) of Service (if served on the prosecutor by mail or if served in person but not stamped "received") to your original completed application and file it with the court.
  - You may file your application by mail or in person at the clerk's office of the appropriate courthouse.

- 7. WHERE TO FILE: DO NOT FILE IN MORE THAN ONE COURT.** If you are applying to seal two cases, your motion must be filed in the court where the most serious conviction was entered. If both cases were the same level of crime (e.g., two class “A” misdemeanors (AM) or two class “B” misdemeanors (BM)), the motion must be filed in the court where the most recent conviction was entered. You can find courts’ addresses online at: <http://www.nycourts.gov/courts/index.shtml>
- 8. KEEP PROOF OF FILING.**
1. Save one copy of the application for your records.
  2. If you file your motion in person, ask the court clerk to time stamp your copy “received.”
  3. If you file your motion by mail, it is best to send it via certified mail, so you get a receipt showing that mailing occurred. Save this receipt.
- 9. HEARING OR DECISION.** If your case is eligible for sealing but the prosecutor opposes your application, the court will contact you to schedule a hearing. At the hearing, the court will consider any evidence offered by you or the prosecutor that would aid the court in deciding whether to seal your conviction(s). If the prosecutor does not oppose your application or you are not eligible for sealing, you will receive a decision from the court by mail.
- 10. CONFIRM SEALING.** After your record has been sealed by the court, if you want to check on whether your case record is properly sealed in the NYS Division of Criminal Justice Service’s database (from which official rap sheets are generated), you should:
1. Get a copy of your sealing order from the court.
  2. Send a duplicate copy of the order with the "Request for CPL §160.59 Verification Form" to the address on the form. This form is available online at:  
[https://www.nycourts.gov/FORMS/cpl\\_160.59\\_sealing\\_application/pdfs/160.59\\_Seal\\_Verification\\_Form\\_DCJS.pdf](https://www.nycourts.gov/FORMS/cpl_160.59_sealing_application/pdfs/160.59_Seal_Verification_Form_DCJS.pdf)
  3. You will receive a letter from the NYS Division of Criminal Justice Service confirming that your sealing was correctly processed and that the case will not appear on rap sheets provided to outside agencies. The sealed case will still appear on a rap sheet you order for yourself and will still be visible to law enforcement.

# ITEMIZED FORM INSTRUCTIONS

The instruction for each number below refers to the field number in the “Notice of Motion in Support of Sealing Pursuant to CPL §160.59” and the “Affidavit in Support of Sealing Pursuant to CPL §160.59” forms. For additional help, and to find versions of these forms completed online and then printed, go to the Unified Court System’s website at: <http://www.nycourts.gov/forms/index.shtml>

## **Notice of Motion in Support of Sealing Pursuant to CPL §160.59**

- ① Enter your full legal name.
- ② If you used a different name than your legal name on a case you are applying to seal, list that name here.
- ③ Enter your New York State Identification Number (NYSID) if known. This number may be found on the Certificate of Disposition you obtained from the court where your conviction occurred.
- ④ Enter your date of birth.
- ⑤ Enter the court’s docket number if you were convicted and sentenced in a city, town or village court, or enter the indictment/SCI number if you were convicted and sentenced in a supreme or county court. The case number will be on the Certificate of Disposition you get from the court.

*NOTE: If you were convicted of a charge in another case that was part of the same incident, enter the information for that case in the same row. For example, you were arrested for DWI and Unauthorized Use of a Vehicle. Both crimes occurred in the same incident, but you were convicted for a misdemeanor DWI in the City Court, and you were also convicted for a felony Unauthorized Use of a Vehicle in the County Court. Because these convictions were part of the same incident, they count as one conviction for sealing purposes, and they should be listed together.)*

- ⑥ Enter the name of the court where you were convicted and sentenced. The name of the court will be on the Certificate of Disposition you get from the court.

## **Affidavit in Support of Sealing Pursuant to CPL §160.59**

- ⑦ You are telling the court that you have not been convicted in more than two criminal cases, and that no more than one of those cases was a conviction for a felony charge.

*NOTE: A felony level offense will have a charge weight of AF, BF, CF, DF or EF. An attempt to commit a crime is displayed on your Certificate of Disposition as “Attempted” and will have the number 110 before the penal law section and subsection. For example, Attempted Robbery 2° will be displayed as PL §110-160.10.*

- ⑧ You are telling the court that you are not trying to seal an ineligible charge. If you were convicted of any of the crimes listed below, the conviction is **NOT ELIGIBLE** for CPL §160.59 sealing. Check your Certificate of Disposition to verify that your conviction is not for any of the following charges:

### **Sex Offenses:**

- PL §130.20 Sexual Misconduct
- PL §130.25 Rape 3°
- PL §130.30 Rape 2°
- PL §130.35 Rape 1°
- PL §130.40 Criminal Sexual Act 3°
- PL §130.45 Criminal Sexual Act 2°
- PL §130.50 Criminal Sexual Act 1°
- PL §130.52 Forcible Touching
- PL §130.53 Persistent Sexual Abuse
- PL §130.55 Sexual Abuse 3°
- PL §130.60 Sexual Abuse 2°
- PL §130.65 Sexual Abuse 1°
- PL §130.65-a Aggravated Sexual Abuse 4°
- PL §130.66 Aggravated Sexual Abuse 3°
- PL §130.67 Aggravated Sexual Abuse 2°

- PL §130.70 Aggravated Sexual Abuse 1°
- PL §130.75 Course of Sexual Conduct Against a Child 1°
- PL §130.80 Course of Sexual Conduct Against a Child 2°
- PL §130.85 Female Genital Mutilation
- PL §130.90 Facilitating a Sex Offense with a Controlled Substance
- PL §130.91 Sexually Motivated Felony
- PL §130.95 Predatory Sexual Assault
- PL §130.96 Predatory Sexual Assault Against a Child
- PL §263.05 Use of a Child in a Sexual Performance
- PL §263.10 Promoting an Obscene Sexual Performance by a Child
- PL §263.11 Possessing an Obscene Sexual Performance by a Child
- PL §263.15 Promoting a Sexual Performance by a Child
- PL §263.16 Possessing a Sexual Performance by a Child
- PL §263.30 Facilitating a Sexual Performance by a Child with a Controlled Substance or Alcohol
- Any conviction that requires you to register as a sex offender

***Homicide Offenses:***

- PL §125.10 Criminally Negligent Homicide
- PL §125.11 Aggravated Criminally Negligent Homicide
- PL §125.12 Vehicular Manslaughter 2°
- PL §125.13 Vehicular Manslaughter 1°
- PL §125.14 Aggravated Vehicular Homicide
- PL §125.15 Manslaughter 2°
- PL §125.20 Manslaughter 1°
- PL §125.21 Aggravated Manslaughter 2°
- PL §125.22 Aggravated Manslaughter 1°
- PL §125.25 Murder 2°
- PL §125.26 Aggravated Murder
- PL §125.27 Murder 1°
- PL §125.40 Abortion 2°
- PL §125.45 Abortion 1°
- PL §125.50 Self-Abortion 2°
- PL §125.55 Self Abortion 1°
- PL §125.60 Issuing Abortion Articles

***Class A Felony Offenses (AF):***

- Any Class A felony offense

***Class B Violent Felony Offenses (BF):***

- PL §110/125.25 Attempted Murder 2°
- PL §110/135.25 Attempted Kidnapping 1°
- PL §110/150.20 Attempted Arson 1°
- PL §125.20 Manslaughter 1°
- PL §125.22 Aggravated Manslaughter 1°
- PL §130.35 Rape 1°
- PL §130.50 Criminal Sexual Act 1°
- PL §130.70 Aggravated Sexual Abuse 1°
- PL §130.75 Course of Sexual Conduct Against a Child 1°
- PL §120.10 Assault 1°
- PL §135.20 Kidnapping 2°
- PL §140.30 Burglary 1°
- PL §150.15 Arson 2°
- PL §160.15 Robbery 1°
- PL §230.34(5)(a)&(b) Sex Trafficking
- PL §255.27 Incest 1°
- PL §265.04 Criminal Possession of a Weapon 1°
- PL §265.09 Criminal Use of a Firearm 1°
- PL §265.13 Criminal Sale of a Firearm 1°
- PL §120.11 Aggravated Assault upon a Police Officer or a Peace Officer
- PL §120.07 Gang Assault 1°
- PL §215.17 Intimidating a Victim or Witness 1°
- PL §490.35 Hindering Prosecution of Terrorism 1°

- PL §490.40 Criminal Possession of a Chemical Weapon or Biological Weapon 2°
- PL §490.47 Criminal Use of a Chemical Weapon or Biological Weapon 3°

***Class C Violent Felony Offenses (CF):***

- An attempt to commit any of the Class B felony offenses listed above
- PL §125.11 Aggravated Criminally Negligent Homicide
- PL §125.21 Aggravated Manslaughter 2°
- PL §130.67 Aggravated Sexual Abuse 2°
- PL §120.08 Assault on a Peace Officer, Police Officer, Fireman or Emergency Medical Services Professional
- PL §120.09 Assault on a Judge
- PL §120.06 Gang Assault 2°
- PL §121.13 Strangulation 1°
- PL §140.25 Burglary 2°
- PL §160.10 Robbery 2°
- PL §265.03 Criminal Possession of a Weapon 2°
- PL §265.08 Criminal Use of a Firearm 2°
- PL §265.12 Criminal Sale of a Firearm 2°
- PL §265.14 Criminal Sale of a Firearm with the Aid of a Minor
- PL §265.19 Aggravated Criminal Possession of a Weapon
- PL §490.15 Soliciting or Providing Support for an Act of Terrorism 1°
- PL §490.30 Hindering Prosecution of Terrorism 2°
- PL §490.37 Criminal Possession of a Chemical Weapon or Biological Weapon 3°

***Class D Violent Felony Offenses (DF):***

- An attempt to commit any of the Class C violent felony offenses listed above
- PL §120.02 Reckless Assault of a Child
- PL §120.05 Assault 2°
- PL §120.18 Menacing a Police Officer or Peace Officer
- PL §120.60 Stalking 1°
- PL §121.12 Strangulation 2°
- PL §130.30 Rape 2°
- PL §130.45 Criminal Sexual Act 2°
- PL §130.65 Sexual abuse 1°
- PL §130.80 Course of Sexual Conduct Against a Child 2°
- PL §130.66 Aggravated Sexual Abuse 3°
- PL §130.90 Facilitating a Sex Offense with a Controlled Substance
- PL §135.35 (3)(a)&(b) Labor Trafficking
- PL §265.02 (5), (6), (7), (8), (9) or (10)
- PL §265.11 Criminal Sale of a Firearm 3°
- PL §215.16 Intimidating a Victim or Witness 2°
- PL §490.10 Soliciting or Providing Support for an Act of Terrorism 2°
- PL §490.20 Making a Terroristic Threat
- PL §240.60 Falsely Reporting an Incident 1°
- PL §240.62 Placing a False Bomb or Hazardous Substance 1°
- PL §240.63 Placing a False Bomb or Hazardous Substance in a Sports Stadium or Arena, Mass Transportation Facility or Enclosed Shopping Mall
- PL §405.18 Aggravated Unpermitted Use of Indoor Pyrotechnics 1°

***Class E Violent Felony Offenses (EF):***

- PL §110/265.02 (5), (6), (7), or (8) Attempted Criminal Possession of a Weapon 3° as a lesser included offense of that section as defined in CPL §220.20
- PL §130.53 Persistent Sexual Abuse
- PL §130.65-a Aggravated Sexual Abuse 4°
- PL §240.55 Falsely Reporting an Incident 2°
- PL §240.61 Placing a False Bomb or Hazardous Substance 2°

***Conspiracy Offenses:***

- PL §105.10 Conspiracy 4° when the crime you conspired to commit is one of the charges listed above
- PL §105.13 Conspiracy 3° when the crime you conspired to commit is one of the charges listed above
- PL §105.15 Conspiracy 2° when the crime you conspired to commit is one of the charges listed above
- PL §105.17 Conspiracy 1° when the crime you conspired to commit is one of the charges listed above

- 9 Your last criminal conviction and sentence must be more than ten years ago. Any time you spent on probation or parole counts toward the ten years. However, if you served time in jail or prison after you were sentenced, that time does not count. For example, your last conviction was 11 years ago, and you served 2 years in state prison ( $11 - 2 = 9$ ), that is only 9 years, and you are not eligible for sealing until next year.
- 10 If you previously filed an application for sealing under CPL §160.58 or CPL §160.59 with this court or any other court, attach a copy of that application regardless of whether it was granted, denied or is still pending.
- 11 If you intend to file another application for sealing under CPL §160.58 or CPL §160.59 with this court or any other court, list the cases that you will ask to have sealed and check the applicable sealing section.
- 12 A Certificate of Disposition (item 1) for each conviction you seek to seal is required and must be attached to your application. An Affidavit of Service (item 2) is required if you do not have a “received” stamp from the prosecutor’s office. You may also attach additional documents (items 3-10) that you think will help the court decide the motion in your favor.

1. Certificate of Disposition. You must attach a Certificate of Disposition for each case you are asking the court to seal. **An accurate and legible photocopy is permitted.** You may already have a Certificate of Disposition. If not, contact the court where you were convicted and sentenced. If you are applying to seal more than one case, you must get a Certificate of Disposition for each case. If you cannot get a Certificate of Disposition, you must attach an explanation of why a Certificate of Disposition is not available. The form to request a Certificate of Disposition from the court is available at:

<https://www.nycourts.gov/LegacyPDFs/forms/criminal/pdfs/CoDRequestForm-fillable.pdf>

2. Affidavit of Service (page 4 of the application form). *BEFORE* you file your motion with the court, you or another person must mail or hand-deliver a copy of your motion and supporting papers to the prosecutor in the county where you were convicted and sentenced (this is called “serving” them). If you serve them in person and had your copy stamped “received,” you have proof of service. If you do not obtain a stamp, the Affidavit of Service is required. If you are applying to seal two cases, and you were convicted in different counties, you or another person must serve the prosecutor of BOTH counties.

*NOTE: If you served more than one prosecutor, you must have the application stamped “received” by each prosecutor’s office OR the person who served the application must complete and attach a separate Affidavit of Service for each prosecutor that was served. This is only required if you did not serve the prosecutors’ offices in person and get a “received” stamp.*

3-10. You are not required to submit additional supporting documents, but if you do have additional documents showing positive changes or accomplishments in your life since the conviction(s) took place, you should attach copies of them. These can include documents such as a Certificate of Relief from Disabilities or a Certificate of Good Conduct; verification of employment; community service, volunteer or charity work; educational transcripts; letters of recommendation or commendation from employers, teachers/professors, community leaders, faith leaders, or charitable organizations; certificates of successful completion of training programs, drug or alcohol treatment programs; etc.

**13 You must tell the court why you believe your prior conviction(s) should be sealed.**

**YOU MUST WRITE SOMETHING.** If you don’t answer this question, your application must be automatically denied. For example, you can tell the court about positive changes you have made in your life and things you have accomplished since the conviction took place, such as positive work history, participating in training programs, drug or alcohol treatment programs, work or schooling, performing community service, participating in faith-based programs, or volunteer work. If you need more space or wish to attach your statement separately, you can write your statement on a separate sheet of paper, but any additional page(s) you write must be signed, dated and notarized.



STATE OF NEW YORK

\_\_\_\_\_ COURT, COUNTY OF \_\_\_\_\_  
(name of the court where you are filing) (county where the court is located)

**In the Matter of the Application of:**

- ① Name: \_\_\_\_\_  
② AKA(s): \_\_\_\_\_  
③ NYSID: \_\_\_\_\_  
④ Date of Birth: \_\_\_\_\_

**Notice of Motion in Support of Sealing  
Pursuant to CPL §160.59**

**This is a Notice of Motion for sealing New York State convictions pursuant to New York Criminal Procedure Law (CPL) section 160.59.**

**The sealing application is based upon the attached Affidavit in Support of Sealing and, if applicable, the attached supporting documents. The applicant asks the court to seal the following conviction(s):**

*NOTE: The case number (docket, indictment or SCI number) and court name required for numbers 5 and 6 will be found on your Certificate(s) of Disposition. If you have more than one case number for the same incident (for example, you were charged in city/village/municipal court and supreme/county court for the same incident) enter the case number and court name for both cases.*

⑤ Case Number (Docket, Indictment, or SCI Number)	⑥ Court Name

By: \_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

## **Affidavit in Support of Sealing Pursuant to CPL §160.59**

The applicant states that, upon information and belief, the following facts are true:

- 7 I was convicted of a crime or crimes in no more than two criminal transactions in New York State, and no more than one of those criminal convictions includes a conviction for a felony offense. I do not have any open or pending criminal charges against me.
- 8 I am not applying to seal any of the following offenses:
- a. a sex offense defined in article one hundred thirty of the Penal Law; or
  - b. an offense defined in article two hundred sixty-three of the Penal Law; or
  - c. a felony offense defined in article one hundred twenty-five of the Penal Law; or
  - d. a violent felony offense defined in section 70.02 of the Penal Law (*see instructions for list*); or
  - e. a class A felony offense defined in the Penal Law; or
  - f. a felony offense defined in article one hundred five of the Penal Law where the underlying offense is not an eligible offense; or
  - g. an attempt to commit an offense that is not an eligible offense if the attempt is a felony; or
  - h. an offense for which registration as a sex offender is required pursuant to article six-C of the correction law.
- 9 It has been over 10 years since I was sentenced for my most recent case. I did not count any jail or prison time I served after being sentenced in calculating the 10-year period.
- 10 I **have** or **have not** filed another application for sealing under CPL §160.58 or CPL §160.59. If I did file another application, I have attached a copy to this motion.
- 11 I **do** or **do not** intend to file another application for sealing under CPL §160.58 or CPL §160.59. If I do file another application, I will ask to have the following conviction(s) sealed:

Case Number (Docket, Indictment, or SCI Number)	Court Name

### **12 REQUIRED AND ADDITIONAL DOCUMENTS:**

I attach the following documents to support my request for sealing

(NOTE: In addition to the required documents (items 1 and 2), you may attach other documents showing positive change or accomplishments, including a Certificate of Relief from Disabilities or a Certificate of Good Conduct; verification of employment; community service, volunteer or charity work; educational transcripts; letters of recommendation from employers, teachers/professors, community leaders, faith leaders, or charitable organizations; certificates of successful completion of training or drug or alcohol treatment programs; etc.):

1. Certificate of Disposition (or a copy) for each conviction I am asking the court to seal. **This is required.** (NOTE: To get a Certificate of Disposition, see item #12 in the instructions.)
2. Affidavit of Service upon the Prosecutor. **This is only required** if the motion was not stamped "received" by the prosecutor's office or was served by mail.

3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

13 I am asking the court to grant my application for sealing under CPL §160.59 for the following reasons:

**This statement is required.**

*(NOTE: Explain the reasons why you believe the case(s) should be sealed. You can include information about positive steps you have taken in your life or things you have accomplished since your conviction. You can attach documents that show these positive steps, but attaching additional documents is not required. Your statement must be signed, dated and notarized below. If you need more space or wish to attach your statement separately, you can write your statement on a separate sheet of paper, but any additional page(s) you write must also be signed, dated and notarized.)*

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By: \_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

(If you provide your email address,  
a copy of the court's decision will be emailed to you.)

\_\_\_\_\_  
Signature of Applicant

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

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

## Affidavit of Service for CPL §160.59 Sealing Application

### STATE OF NEW YORK

\_\_\_\_\_  
(name of the court where you are filing)

**COURT, COUNTY OF** \_\_\_\_\_  
(county where the court is located)

Name of Applicant: \_\_\_\_\_

The applicant is asking the court to seal the following convictions:

⑤ Case Number (Docket, Indictment, or SCI Number)	⑥ Court Name

The undersigned (deponent), being sworn, says:

I, \_\_\_\_\_ am over 18 years of age and reside at:  
(Name of Person Serving/Mailing)

\_\_\_\_\_  
(Address of Person Serving/Mailing)

That on \_\_\_\_\_, I served the attached Notice of Motion and Affidavit in Support of  
(Date of Service/Mailing)  
Sealing Pursuant to CPL §160.59, including any supporting documents, upon the District Attorney as listed below:

The District Attorney of \_\_\_\_\_ County, at the following address:  
(Name of County)

\_\_\_\_\_  
(Address)

#### Select one:

by mailing a complete copy in a properly stamped and addressed envelope at the post office or official depository of the United States Postal Service (i.e. a mailbox).

by personally delivering a complete copy to the above District Attorney's Office.

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Person Serving/Mailing

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

**NOTE: If more than one prosecutor's office was served, the person who served the application must complete a separate Affidavit of Service for each prosecutor that was served.**

**THIS SWORN AFFIDAVIT IS PROOF THAT THE PROSECUTOR WAS SERVED.  
YOU MUST ATTACH THIS AFFIDAVIT WHEN YOU FILE YOUR APPLICATION WITH THE COURT  
IF YOU DID NOT GET YOUR COPY STAMPED "RECEIVED" BY APPEARING IN PERSON AT THE  
PROSECUTOR'S OFFICE.**