

5. COMPLETE THIS SECTION, INCLUDING THE TABLE BELOW IF CHARGES WERE FILED OR IF NO CHARGES WERE FILED BUT THE PERSON IN INTEREST SUCCESSFULLY COMPLETED A DIVERSION AGREEMENT PURSUANT TO § 18-1.3-101, C.R.S.

- i. Complete the first five columns of the table below for all records the Person in Interest is asking the Court to seal.
- ii. Indicate in the Dismissal column **Yes** or **No** whether each charge has been dismissed. If a charge was dismissed as part of a plea agreement in a separate case, the Petitioner must also complete Section 7e below.
- iii. Deferred: If the charge was dismissed as a result of completion of a deferred judgment and sentence, indicate **Yes** in the Deferred Judgment column.
- iv. Diversion: If the Person in Interest successfully completed a diversion agreement, indicate **Yes** in the Diversion Agreement column. If no charges were filed, indicate **None** in the Charges column. If a charge was filed but dismissed, list the charge in the Charge column and indicate **Yes** in the Dismissal Column.
- v. If the Person in Interest was acquitted, indicate Yes in the Acquittal column.

Offense Date	Arrest Date	Arrest or Summons Number	Charge (if any)	F/M *	Dismissal	Deferred Judgment	Diversion Agreement	Acquittal

* F/M asks Petitioner to state if Person in Interest's records are related to Felony (F) or Misdemeanor (M) charges.

6. COMPLETE THIS SECTION, INCLUDING THE TABLE BELOW, IF ARREST RECORDS EXIST, NO CHARGES WERE FILED, AND THE PERSON IN INTEREST DID NOT SUCCESSFULLY COMPLETE A DIVERSION AGREEMENT PURSUANT TO § 18-1.3.101, C.R.S.

- i. The Person in Interest may only ask the Court to seal the arrest records if and the statute of limitations for the offense for which the person was arrested that has the longest statute of limitations has run **OR** the statute of limitations has not run, but the Person in Interest is no longer being investigated by law enforcement for the commission of the offense.
- ii. If charges were not filed due to a plea agreement in a separate case, The Court cannot grant a request to seal the arrest record(s) for such offense(s).

Date of Arrest	Original Arrest Number	Offense

7. Complete this section if the following court case exists but was dismissed due to a plea agreement in a separate case, ten years have passed since the final disposition of all criminal proceedings against the Person in Interest and Petitioner is not aware of any charges for any criminal offense against the Person in Interest during that ten-year period.

Case Number of Case Dismissed	Date Case was Dismissed	Case Number(s) Identified in the Plea Agreement

8. Court case numbers and criminal justice agency case numbers:

County Court case number: _____

District Court case number: _____

Municipal Court case number: _____

Law Enforcement Agency case number: _____

Arrest number (from fingerprint card): _____ Date: _____

- 9. The Person in Interest has paid all restitution, fines, court costs, late fines or other fees ordered by the Court, unless the Court has vacated the Order in the case requesting to be sealed.
- 10. The record does not pertain to a class 1 or a class 2 misdemeanor traffic offense.
- 11. The record does not pertain to a class A or a class B traffic infraction.
- 12. The record does not pertain to a deferred judgment and sentence for Driving Under the Influence (DUI), Driving while Ability Impaired (DWA), or DUI per-se pursuant to § 42-4-1301(1) or (2), C.R.S.
- 13. The record does not pertain to a deferred judgment and sentence for an offense concerning the holder of a commercial driver's license, or the operator of a commercial motor vehicle pursuant to § 42-2-402, C.R.S.
- 14. The record does not pertain to a deferred judgment and sentence for an offense for which the factual basis involved unlawful sexual behavior pursuant to § 16-22-102(9), C.R.S.
- 15. The decision not to charge an offense was not due to a plea agreement in a separate case.
- 16. Petitioner requests the Court to set a date for hearing on this Petition, if necessary, and to enter an order sealing arrest and criminal records pertaining to the Person in Interest, pursuant to § 24-72-702(1)(b)(II), C.R.S. and to seal this civil action.

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form. (Checking this box requires you to remove JDF number and copyright at the bottom of the form.)

VERIFICATION AND ACKNOWLEDGMENT

I, _____ (name), swear/affirm under oath, and under penalty of perjury, that I have read the foregoing *PETITION TO SEAL ARREST AND CRIMINAL RECORDS OTHER THAN CONVICTIONS PURSUANT TO § 24-72-702, C.R.S.*, and that the statements set forth therein are true and correct to the best of my knowledge and belief.

Signature of Petitioner Date

The foregoing instrument was subscribed and affirmed, or sworn before me in the County of _____, State of Colorado, this ____ day of _____, 20____, by the Petitioner.

My Commission Expires: _____

Signature of Attorney Date

Notary Public/Deputy Clerk