

SEALING CRIMINAL RECORDS

If you want your criminal record expunged or sealed and unavailable to the public, carefully review sections 2953.31, 2953.32, 2953.321, 2953.33, 2953.34, 2953.35, 2953.36, 2953.37, 2953.38, 2953.53, 2953.54, 2953.56, and 2953.61 of the Ohio Revised Code. If you want your record of a dismissal, not guilty finding, or no bill (no indictment) expunged or sealed and unavailable to the public, carefully review sections 2953.51, 2953.52, 2953.53, 2953.54, 2953.55, and 2953.56 of the Ohio Revised Code. The Ohio Revised Code is available on-line and in hard copy in most libraries.

Sample forms are attached. You may type or legibly print or write your request for expungement or sealing records. Make sure you have your criminal case number. You must file the original application/motion with the Meigs County Clerk of Courts (Courthouse, 3rd floor, Suite 303) and deliver a copy of the application to the Meigs County Prosecutor's Office. There is a \$50.00 fee to file your documents. If you are indigent, you must file a motion to waive payment with your original application. If the Judge grants the motion to waive payment, your filing fee will be waived. If the Judge denies your motion to waive payment, your record cannot be sealed until the filing fee is paid. In any event, if any costs or restitution are still outstanding on the case, these must be paid in full before the record can be sealed, absent a court order to the contrary.

WARNING:

These sample forms are offered with the admonition that, while you have the right to represent yourself to request that your record be expunged or sealed, the Clerk of Courts recommends that you retain or seek the assistance of an attorney. These forms are offered merely to provide you with examples. You must tailor your application/motion to the needs of your case.

Also, preparing the appropriate forms with your relevant information is only the first step in the Court process. If you decide to represent yourself, you will have to become knowledgeable of the applicable code sections, the Ohio Rules of Criminal Procedure, the Ohio Rules of Evidence and this Court's Local Rules. **Note: Our office does not provide legal advice.**

You may be required to prepare the final judgment entry with all the applicable forms in an accurate and legal format. Your case cannot be expunged or sealed unless and until a final judgment entry has been signed by the judge, filed, and journalized. Filing a motion does NOT obligate the court to grant your request to seal your record. There is no refund of the filing fee if the judge denies your request, and any subsequent request made to the court to reconsider the denial will be treated as a new petition, requiring payment of the \$50.00 filing fee.

Finally, it is helpful to understand that a sealed record never completely "goes away." There are instances under Ohio law where access to information from a sealed record may be provided to certain requestors. Criminal case information is regularly acquired by third parties and legally sold, and may not be updated to reflect that a case is no longer available for public access. For more information, please consult with an attorney.

IN THE COURT OF COMMON PLEAS
MEIGS COUNTY, OHIO

STATE OF OHIO

*

CASE NO. _____

Plaintiff,

*

JUDGE _____

- vs -

*

*

APPLICATION FOR EXPUNGEMENT AND TO SEAL
RECORD OF CONVICTION

*

Defendant/Applicant

I respectfully request the Court to expunge and seal my criminal record pursuant to Ohio Revised Code §2953.32. I am an eligible offender as defined in §2953.31(A); three years have passed since the final discharge of my felony conviction, and/or one year has passed since the final discharge of my misdemeanor conviction(s); and/or one year has passed since the date on which my misdemeanor bail forfeiture was journalized; and no criminal proceedings are pending against me.

Charge(s) to be Expunged/Sealed: _____

Date of Sentence: _____

If Probation, Date Terminated: _____

Current Address of Applicant: _____

Phone: _____

Date of Birth: _____

Defendant / Applicant Signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered by HAND or MAIL (circle one) to the Office of the Prosecutor on the _____ day of _____, 20____.

Defendant / Applicant Signature

IN THE COURT OF COMMON PLEAS
MEIGS COUNTY, OHIO

STATE OF OHIO * CASE NO. _____
Plaintiff, *
- vs - * JUDGE _____
*

Defendant/Applicant * APPLICATION FOR
EXPUNGEMENT AND TO SEAL
RECORD INVOLVING NON-
CONVICTION

I respectfully request the Court seal my record of non-conviction pursuant to Ohio Revised Code §2953.52. No criminal proceedings are pending against me, and one of the following applies, as checked:

- _____ I was found not guilty of a criminal offense by a jury or court; or
_____ I was the defendant named in a dismissed complaint, indictment, or information; or
_____ It has been two years since the foreman or deputy foreman of the grand jury reported to the court that the grand jury reported a no bill against me.

Charge(s) to be Expunged/Sealed: _____

Date of Acquittal/Dismissal: _____

Was this treatment or intervention in lieu of conviction? Y/N _____

Date of No Bill Report: _____

Current Address of Applicant: _____

Phone: _____

Date of Birth: _____

Defendant/Applicant Signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered by HAND or MAIL (circle one) to the Office of the Prosecutor on the _____ day of _____, 20____.

Defendant/Applicant Signature

IN THE COURT OF COMMON PLEAS
MEIGS COUNTY, OHIO

STATE OF OHIO,
Plaintiff

:

CASE NO. _____

-vs-

:

JUDGE _____

:

Defendant

:

AFFIDAVIT OF INDIGENCY

After being duly cautioned and sworn, I hereby state the following information is true to the best of my knowledge and belief. I understand I am subject to criminal charges for providing false information.

I.	INCOME		Net Monthly Pay
1.	Employer _____ yrs. ____ mos. ____ Position _____ Spouse's employer _____		_____ _____ _____
2.	Alimony/child support received		_____
3.	Public benefits received (TANF, SS, SSI, WIC, etc.)		_____
4.	Other income (pension, interest, etc.)		_____
		TOTAL INCOME	_____
II.	ASSETS		
1.	Cash on hand \$ _____ Cash in bank \$ _____ Cash at home \$ _____	TOTAL CASH	_____
2.	Own motor vehicle Y/N Make _____ Year _____	Value	_____
3.	Own house Y/N How long? _____	Value	_____
4.	Other property Y/N	Value	_____
III.	MAJOR DEBTS		Monthly Payments
	_____		_____
	_____		_____
IV.	FAMILY COMPOSITION		
1.	Number of persons you are required to support		_____
2.	Ages of such persons		_____
3.	Their relationship to you (spouse, child, parent, etc.)		_____

I further state I am indigent at this time; unable to pay the application fee for sealing a record in the within matter; and, hereby request an indigency hearing before the Court.

Defendant's signature

Sworn to and subscribed in my presence this ____ day of _____, 20__, by the above named Affiant.

Notary Public

PLEASE NOTE

THE FOLLOWING PAGES ARE NOT TO BE FILED WITH THE COURT.

The pages hereinafter contained, will be used by the Meigs County Community Corrections Department to conduct an investigation pursuant to your request to have your record expunged/sealed.

THE EXPUNGMENT QUESTIONNAIRE MUST BE COMPLETED AND DELIVERED TO THE ADDRESS CONTAINED THEREIN. THE CLERK'S OFFICE WILL NOT FORWARD THESE DOCUMENTS TO THE CORRECTIONS DEPARTMENT. It is your responsibility to deliver them.

You may fill out this form electronically (as a pdf) or by hand. If you fill this form out by hand, be sure to write legibly using only blue or black ink. Please then hand deliver the original completed questionnaire within 10 (ten) days of applying for your expungement to: Meigs County Community Corrections Department, 100 E. Second Street, Suite 301, Pomeroy, Ohio 45769 (Phone: (740) 992-6439). If you are not able to hand deliver, please call (740) 992-6439 to set up an appointment.

MEIGS COUNTY COMMUNITY CORRECTIONS DEPARTMENT

100 East Second Street, Suite 301, Pomeroy, Ohio 45769
Phone: (740) 992-6439 Fax: (740) 992-3828

Expungement Questionnaire

Name: _____ **Sex(circle):** M / F
Last First Middle

Alias: _____ **Are you a U.S. citizen:** Yes/No

DOB: _____ **Age:** _____ **Social Security #:** _____

Address: _____ **Race:** _____
address

_____ **Phone #:** _____
City State Zip

Where were you born: _____
City State

Height: _____ **Weight:** _____ **Hair:** _____ **Eyes:** _____

Have you ever served in the military? _____ **YES** _____ **NO**

Marital Status (Please Circle):

Single Married Divorced Separated Widowed

Number of Children: _____

Education

Highest Grade Completed: _____

Fines/Court Costs/Restitution

Paid in Full (Please circle): Yes / No

Amount owed: _____

Employment

Are you employed? Yes/No

If yes, where? _____

How long have you been employed there? _____

Please provide a statement in regards to your offense or crime. Include any reason you had for committing the crime or offense and how you feel about what you did. (If you need additional room please use back)

If you would not like to make a statement please initial here: _____

Defense Attorney: _____

Print Name: _____

Signature: _____ Date: _____