

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)
)
Plaintiff,)
)
vs.)
)
_____,)
)
Defendant/Petitioner.)

No. _____

PETITION TO EXPUNGE AND SEAL ARREST RECORD

The Defendant/Petitioner petitions the Court to expunge and seal the Defendant's arrest record from the records of the arresting authority, the Circuit Clerk, and the Department of State Police with regard to the following arrest:

Charge: _____ Date of Arrest: _____

DOB: _____ Sex: _____ Race: _____

Arresting Authority: _____ I.D.# _____
(ISB, IR, FBI, DCN)

and in support of this Petition, states as follows:

1. The Defendant/Petitioner has never been previously charged or convicted of any criminal offense, felony, misdemeanor, or violation of a municipal ordinance.

2. The Defendant/ Petitioner was arrested by the arresting authority on the date and for the offense stated above.

- 3. The Defendant/Petitioner was released without being convicted; **OR**
- The Defendant/Petitioner was released without conviction following a sentence of supervision, for the offense of:
 - Operating an Uninsured Motor Vehicle [625 ILCS 3-707*], or
 - Suspended Registration for Noninsurance [625 ILCS 3-708*], or
 - Displaying of False Insurance [625 ILCS 3-710*] or
 - Failure of Scrap Dealer to Keep Records [625 ILCS 401.3*], or
 - Reckless Driving [625 ILCS 11-503*], or
 - Domestic Battery [720 ILCS 5/12-3.2], or
 - Criminal Sexual Abuse [720 ILCS 5/12-15], or
 - Retail Theft [720 ILCS 5/16A-3*];

and it has been FIVE years since the successful discharge and dismissal from supervision; or

- The Defendant/Petitioner was released without conviction following a sentence of probation for the offense of
 - section 10 of the Cannabis Control Act [720 ILCS 550/10], or
 - section 410 of the Illinois Controlled Substance Act [720 ILCS 570/410], or
 - section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 [720 ILCS 5/12-4.3], or
 - section 40-10 of the Illinois Alcoholism and Other Drug Dependency Act when the judgment of conviction has been vacated [20 ILCS 301/40-10]

and it has been FIVE years since the successful termination of probation; **OR**

- The Defendant/Petitioner was released without conviction following a sentence of supervision for an offense which is not set forth in the previous paragraphs and it has been TWO years since the successful discharge and dismissal from supervision.

3. The Defendant/Petitioner was not granted supervision for or convicted of (1) driving under the influence; or (2) any sexual offense committed against a minor under 18 years of age as a result of this arrest. Sexual offense committed against a minor includes but is not limited to the offense of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

4. The Defendant/Petitioner has paid all fines, costs, fees and restitution in the underlying case.

5. The Defendant/Petitioner has paid all costs and fees for the filing of this Petition.

WHEREFORE, Defendant/Petitioner prays that the Defendant's record of arrest be expunged and/or sealed as allowed by law.

Defendant/Petitioner

Address

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

Dated: _____

*Offenses not reportable to Department of State Police
20 ILCS 2630/5