

My Name _____

Address _____

City, State, Zip _____

Phone _____

E-mail _____

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____
 Prosecuting Attorney and my Utah Bar number is _____

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re Petition to Expunge the Records of

Petitioner

Findings of Fact, Conclusions of Law, and Order on Petition to Expunge Records

Case Number _____

Judge _____

The matter before the court is a Petition to Expunge Records. This matter is being resolved by: (Choose all that apply.)

The default of Petitioner Prosecuting Attorney Victim.

The stipulation of the parties.

The pleadings and other papers of the parties.

A hearing held on _____ (date) notice of which was served on all parties.

Petitioner

was present

- was not present
- was represented by _____ (name)
- was not represented.

The Prosecuting Attorney, _____ (name)

- was present
- was not present

The Victim, _____ (name)

- was present
- was not present
- was represented by _____ (name)
- was not represented.

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The Court Finds by Clear and Convincing Evidence That:

- (1) the petition and certificate of eligibility are are not sufficient;
- (2) the statutory requirements have have not been met; and
- (3) expunging the Petitioner's records is not is contrary to public interest.

The Court Concludes That:

(4) (A) The records of petitioner's arrest, investigation, detention and conviction relating to the following court case(s): _____; _____; _____ (case numbers) should be expunged.

OR

(B) The records of petitioner's arrest, investigation, and detention relating to the following incident(s): _____;

_____ ; _____ (LEA file numbers) of
_____ (LEA Name) should be expunged.

(C) The records of petitioner's arrest, investigation, detention and conviction should not expunged.

The Court Orders That:

(5) (A) Court case was filed. Records are expunged.

- The records of petitioner's arrest, investigation, detention and conviction relating to the following court case(s): _____ ; _____ ; _____ (case numbers) shall be expunged.
- Petitioner shall deliver a copy of this order to any government agency or official that may have such records.
- The Bureau of Criminal Identification shall provide clear written directions to the petitioner along with a list of agencies known to be affected by this order.
- The clerk of the court shall expunge all related court records as provided by Rule 4-205.
- Any other government agency or official receiving this order shall expunge related records as provided by Section 77-40-102 and Section 77-40-108.
- Any government agency or official receiving this order shall not divulge information identifying the petitioner.
- Any government agency or official receiving this order shall respond to any inquiry as though the arrest or conviction did not occur.

(B) Court case was not filed. Records are expunged.

The records of petitioner's arrest, investigation, detention relating to the following incidents: _____ ; _____ ; _____ (LEA file numbers) of _____ (LEA Name) shall be expunged.

- Petitioner shall deliver a copy of this order to any government agency or official that may have such records.
- The Bureau of Criminal Identification shall provide clear written directions to the petitioner along with a list of agencies known to be affected by this order.
- The clerk of the court shall expunge all related court records as provided by Rule 4-205.
- Any other government agency or official receiving this order shall expunge related records as provided by Section 77-40-102 and Section 77-40-108.
- Any government agency or official receiving this order shall not divulge information identifying the petitioner.
- Any government agency or official receiving this order shall respond to any inquiry as though the arrest did not occur.

(C) The records of petitioner's arrest, investigation, detention and conviction are not expunged.

_____ Date

Sign here ► _____

Judge _____

Certificate of Service

I certify that I served a copy of this Findings of Fact, Conclusions of Law, and Order on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
(Petitioner or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Prosecuting Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Victim or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Electronic File		

_____ Sign here ► _____
 Date
 _____ Typed or Printed Name _____