

See Instructions (EXP101) for help in filling out this form.

State of Minnesota

District Court

County of: _____

Court File Number: _____

Judicial District: _____

Case Type: Criminal

State of Minnesota

Plaintiff

VS

Defendant

Notice of Hearing and Petition for Expungement (EXP102)

Minn. Stat. § 609A.03 or Inherent Authority

Notice to Law Enforcement / Government Agency / Prosecutor: Any objection to an expungement in this case shall be filed with the court as soon as possible, and within 60 days.

Hearing Information

The hearing in this case is scheduled on:

Date: _____, at _____ a.m. / p.m.

The hearing will be:

- Remote using Zoom** (See the "Remote Hearing Information" Help Topic online at www.mncourts.gov/Remote-Hearings.aspx.)

Zoom meeting ID: _____

Passcode: _____

OR

- In Person**

Courthouse address: _____

Courtroom number: _____

Petition for Expungement

1. List your full name:

First: _____

Middle: _____

Last: _____

2. List any other legal names or aliases you have been known as: _____

3. List your date of birth: _____

4. List your current address:

Street Address: _____

City, State, Zip: _____

5. List all the other addresses you have lived at since the date of the offense for which you are seeking an expungement: (give the street address, city, and state)

Check this box if you have only lived at your current address (listed in #4) since the date of the offense.

6. Reasons for this Request.

Why are you asking for an expungement?

Include the following information:

- Whether you are asking for an expungement for employment, housing, or licensure reasons;
- The statutory or other legal authority under which you are seeking an expungement; and
- Why an expungement should be granted (give specific details).

I am asking for an expungement because:

Add another sheet if needed.

7. **Criminal Record.** Minnesota law requires you to give the full record of all your criminal convictions for misdemeanors, gross misdemeanors, or felonies; and criminal charges (including all criminal charges that have been continued for dismissal, stayed for adjudication, or have been the subject of pretrial diversion).

Give the following details about your criminal record (include information from Minnesota and any other state, federal court, and foreign countries):

- All charges, convictions, stays of adjudication or impositions of sentence, whether the conviction happened before or after the offense for which you are seeking expungement; and
- All pending charges or actions for misdemeanors, gross misdemeanors, or felonies.

Case #	County-State	Type of Charge	Date of Offense	Conviction Yes/No	Date of Conviction (if Yes)

Add another sheet if needed.

8. **Past Requests.** Have you ever asked for an expungement, pardon, or sealing of a criminal record before (whether for this offense or for any other offense, and whether it was granted or not)? Yes No

If yes, list each other request for an expungement, pardon, or sealing of a criminal record you have made: _____

Add another sheet if needed.

9. Qualification for Expungement.

Why do you qualify for an expungement?

- A criminal case against you for a possession of a controlled substance under Minn. Stat. §§ 152.024, 152.025, or 152.027 has been dismissed and the proceedings have been discharged under Minn. Stat. § 152.18. [Use *Order Concerning Sealing/Expunging of Record - Minn. Stat. § 609A.02, subd. 1 or 2* (court form EXP106).]
- You were certified or referenced for prosecution as an adult for a crime you committed when you were a juvenile. [Use *Order Concerning Sealing/Expunging of Record - Minn. Stat. § 609A.02, subd. 1 or 2* (court form EXP106).]
- A criminal matter was resolved your favor. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105).]
- You successfully completed the terms of a diversion program or stay of adjudication, and you have not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105).]
- You were convicted of a petty misdemeanor or misdemeanor, or the sentence imposed was within the limits provided by law for a misdemeanor, and you have not been convicted of a new crime for at least two years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105).]
- You were convicted of a gross misdemeanor, or the sentence imposed was within the limits provided by law for a gross misdemeanor, and you have not been convicted of a new crime for at least three years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105).]
- You were convicted of a gross misdemeanor that is deemed to be for a misdemeanor pursuant to Minn. Stat. § 609.13, subd. 2(2), and you have not been convicted of a new crime for at least three years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].
- You were convicted of a felony violation of Minn. Stat. § 152.025, and you have not been convicted of a new crime for at least four years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].

- You were convicted of a felony that is deemed to be for a gross misdemeanor or misdemeanor pursuant to Minn. Stat. § 609.13, subd. 1(2), and have not been convicted of a new crime for at least four years since discharge of the sentence for the crime if the conviction was for an offense listed in Minn. Stat. § 609A.02, subd. 3(b); **or** five years since discharge of the sentence for the crime if the conviction was for any other offense. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].
- You were convicted of a felony violation of an offense listed in Minn. Stat. § 609A.02, subd. 3(b), and have not been convicted of a new crime for at least four years since discharge of the sentence for the crime. [Use *Order Concerning Sealing/Expunging of Records - Minn. Stat. § 609A.02, subd. 3* (court form EXP105)].
- You were convicted of an offense that does not qualify for expungement under Minn. Stat. § 609A.02, subd. 3, but you believe you have rehabilitated yourself. You believe that the benefit to you outweighs the disadvantage to the public and the burden on the court. [Use *Findings of Fact, Conclusions of Law and Order to Seal/Expunge Judicial Records Only* (court form EXP107).]

10. Offense Details. What is the offense you want to expunge?

Case #: _____

Jurisdiction/City where the offense occurred: _____

Type of offense: _____

Date of offense: _____

11. Victims. Were there any identifiable victims in this case? Yes No

If Yes, list the names of the victims: _____

12. Protection, Restraining, or No-Contact Orders. Is there now, or has there ever been, an Order for Protection, Restraining Order, or other No-Contact Order prohibiting you from contacting the victims?

- Yes. [Include copies of any orders with this *Petition*.]
- No.
- N/A (not applicable because there were no identifiable victims in this case).

13. Personal Rehabilitation. Describe what steps you have taken since the time of the offense toward personal rehabilitation, including treatment, work, or other personal history that demonstrates rehabilitation.

I have taken the following steps toward personal rehabilitation:

Add another sheet if needed.

14. Do you want to ask the court to seal any private or confidential data submitted by the responding agencies or other jurisdictions? [Minn. Stat. § 609A.03, subd. 3(d)]

Yes No

15. Do you want to ask that, if an expungement is ordered, each agency and jurisdiction that receives the order must send a letter to you at the address provided confirming receipt of the expungement order and that the record has been expunged? [Minn. Stat. § 609A.03, subd. 8(b)]:

Yes No

16. **Mitigating or Aggravating Factors.** Explain any mitigating or aggravating factors relating to the underlying crime, including your level of participation, the context and circumstances of the underlying crime, and what risk, if any, you pose to individuals or society.

Add another sheet if needed.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116

Date: _____

Signature: _____

Name: _____

County and state where signed:

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____