**CRIMINAL COVER SHEET**

For Office Use Only

The criminal cover sheet neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Clerk of the District Court for the purposes of initiating the criminal docket sheet. This information will not be available to the public and this document will be stored in a separate location from the case file and then destroyed within a reasonable time. A new case **will not be accepted** without a cover sheet attached. (THIS FORM MUST BE TYPED OR PRINTED LEGIBLY). This form can be found at www.kscourts.org.

**DEFENDANT’S INFORMATION**

(ATTACH ADDITIONAL SHEET, IF NECESSARY)

**NAME:**

**ADDRESS:**

**PHONE:**

**CELL PHONE:**

**E-MAIL ADDRESS:**

**DL OR STATE ID NO:**

 State and Number

**SSN:**

**DOB:**

**SEX:**

**RACE:** [ ]  WHITE [ ]  BLACK [ ] ASIAN [ ]  PACIFIC ISLAND [ ]  AMERICAN INDIAN/ALASKAN [ ]  UNKNOWN

**ETHNICITY:** [ ] HISPANIC [ ]  NON-HISPANIC [ ]  UNKNOWN

**ALIAS NAMES USED:**

**KDR TRANSACTION NUMBER:**

**ATTORNEYS**

(FIRM NAME, ADDRESS, TELEPHONE NUMBER AND SUPREME COURT ID NUMBER)

**COMPLAINT INFORMATION**

**VIOLATION DATE:**

**OFFICER:**

**OFFICER NO.:**

**ATTORNEYS** (IF KNOWN)

(FIRM NAME, ADDRESS, TELEPHONE NUMBER, CELL PHONE NUMBER, E-MAIL ADDRESS, AND SUPREME COURT ID NUMBER)

IN THE DISTRICT COURT OF (COUNTY) COUNTY, KANSAS

|  |
| --- |
| THE STATE OF KANSASvs.(NAME)Defendant |

Case No.

**PETITION FOR RELIEF FROM OFFENDER REGISTRATION** **AND** **EXPUNGEMENT OF CONVICTION OR DIVERSION**

Pursuant to K.S.A. 21-6614 and 22-4908

Comes Now, (attorney name), on behalf of (name), Petitioner and requests of the Court an order of relief from drug offender registration and expungement of my [ ] conviction and related arrest records OR [ ] diversion record and related arrest records. In support thereof, I state the following:

1. The Petitioner’s full name is (name);
2. The Petitioner’s full name at the time of the conviction for the drug offense or offenses requiring registration, if different than #1, was (past names);
3. The Petitioner is a (Race, Gender) born in (birth year);
4. The Petitioner was arrested in (county) County, Kansas on (arrest date) by (arresting department) and charged with (crime at time of arrest);
5. The Petitioner was convicted (convicted crime) of (conviction date). The convicting court or diverting authority was (county) County District Court. If convicted in another state, they are not required or no longer required to register under the laws of that state.
6. The Petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;
7. The date of final discharge was (date).
8. The Petitioner is currently registered as a drug offender in the following counties: (counties)
9. The Petitioner has substantially complied with all registration requirements for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction.
10. [ ] The Petitioner has not been arrested, convicted, or entered into a diversion agreement for any crime during the period they have been required to register. OR [ ] Petitioner has been arrested, convicted, or entered into a diversion agreement for the following crimes during the period they were required to register: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
11. The following are the names of all treatment providers and agencies that have treated the Petitioner for mental health, substance abuse, and offense-related behavior since the date of the offense or offenses requiring registration:

1. The circumstances, behavior and treatment history demonstrate that the Petitioner has been sufficiently rehabilitated to warrant relief, and that registration is no longer necessary to promote the public safety, because:

I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my

knowledge, and I respectfully request that the Court set this matter for hearing and grant the relief requested.

Signature:

Name(Print):

 Address 1:

Address 2:

City, State, Zip:

 Telephone Number:

[Fax Number]:

[Email Address]:

Submitted by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For Office Use Only

ORDER OF RELIEF FROM OFFENDER REGISTRATION

AND EXPUNGEMENT OF CONVICTION OR DIVERSION COVER SHEET

(for submission to the Kansas Bureau of Investigation)

#

This coversheet is to be sent to the Kansas Bureau of Investigation to assist them with determining the correct person to be removed from the registry and to determine the right conviction or diversion to be expunged.

This form must be typed or printed legibly.

**DEFENDANT’S** **INFORMATION**

**NAME:**

**ADDRESS:**

**SOCIAL SECURITY NUMBER: ( show all 10 numbers)**

**SEX:** [ ]  **MALE** [ ]  **FEMALE**

**DOB:**

**RACE:** [ ]  **WHITE ❐ BLACK ❐ASIAN ❐ PACIFIC ISLAND**

 **❐ AMERICAN INDIAN/ALASKAN ❐ UNKNOWN**

**ETHNICITY: ❐HISPANIC** [ ]  **NON-HISPANIC ❐ UNKNOWN**

**ALIAS NAMES USED:**

IN THE DISTRICT COURT OF (COUNTY) COUNTY, KANSAS

|  |
| --- |
| THE STATE OF KANSASvs.(NAME)Defendant |

 Case No.

**NOTICE OF HEARING ON PETITION FOR RELIEF FROM OFFENDER REGISTRATION AND EXPUNGEMENT OF CONVICTION OR DIVERSION**

 The court will hold a hearing on this matter on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_:\_\_\_\_ [ ]  a.m. [ ] p.m. at the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Courthouse, in division \_\_\_\_\_\_\_\ room \_\_\_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Attorney Signature)

**CERTIFICATE OF SERVICE AND MAILING**

 I certify that on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, I sent a true copy of this notice by depositing it in the United States mail, postage prepaid, addressed to:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County or District Attorney (Print)

Address 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City, State, Zip: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Clerk of the Court) (Deputy Clerk)

IN THE DISTRICT COURT OF (COUNTY) COUNTY, KANSAS

|  |
| --- |
| THE STATE OF KANSASvs.(NAME)Defendant |

 Case No.

**ORDER DENYING RELIEF FROM OFFENDER REGISTRATION AND EXPUNGEMENT**

Pursuant to K.S.A. 21-6614 and 22-4908.

 On this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_, the Court considers the Petition for Relief from Offender Registration and Expungement filed herein. The State appears by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, assistant county/district attorney or designee. The petitioner appears [ ]  **pro se** [ ]  **in person** with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Attorney’s name, if any]. Others appearing, if any, are:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

 The Court, [ ] upon agreement of the parties, [ ]  having reviewed the file, [ ] having received the evidence, and/or [ ]  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is (name);

2. The full name of the petitioner at the time of conviction, if different than #1, was (past name);

3. The petitioner is a (Race, Gender) born in (birth year);

1. The petitioner was arrested in (county) County, Kansas on (arrest date) by the (arresting department) and charged with the crimes of (crimes arrested for);
2. The petitioner was convicted of (convicted crimes) on (conviction date) in (county) County District Court.
3. The convicting court or diverting authority was (county) County District Court;
4. The date of final discharge was (date);
5. The request for relief from offender registration and expungement should be denied for the following reason(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 **IT IS THEREFORE ORDERED** this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, that the petitioner shall not be relieved of the offender registration requirements of the Kansas Offender Registration Act.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge of the District Court

|  |  |
| --- | --- |
| Submitted by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Signature of Defendant’s Attorney[Supreme Court Number]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Name(Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address 1:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address 2:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_City, State, Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Telephone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Fax Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_E-mail Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Approved by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Assistant County/District AttorneyName(Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Supreme Court Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address 1:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address 2:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_City, State, Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Telephone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Fax Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_E-mail Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

IN THE DISTRICT OF (COUNTY) COUNTY, KANSAS

|  |
| --- |
| THE STATE OF KANSASvs.(NAME)Defendant |

 Case No.

**ORDER FOR RELIEF FROM OFFENDER REGISTRATION AND EXPUNGEMENT OF CONVICTION OR DIVERSION**

Pursuant to K.S.A. 21-6614 and 22-4908.

On this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_, the Court considers the Petition for Relief from Offender Registration and Expungement filed herein. The State appears by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, assistant county/district attorney or designee. The petitioner appears [ ] **pro se** [ ]  **in person** with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Attorney’s name, if any]. Others appearing, if any, are: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

 The Court, [ ] upon agreement of the parties, [ ] having reviewed the file, [ ] having received the evidence, and/or [ ]  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is (name);
2. The full name of the petitioner at the time of his/her arrest or conviction, if different than #1, was (past name);
3. The petitioner is a (Race, Gender) born in (birth year);
4. The petitioner was arrested in (county) County, Kansas on (arrest date) by the (arresting department) and charged with the crime (crime charged with);
5. The petitioner was convicted of (convicted crime) on (conviction date) in (county) County District Court. If convicted in another state, the petitioner was not required or is no longer required to register in that state.
6. The petitioner’s most recent date of parole, discharge or release was (date).
7. The petitioner is currently registered as a drug offender in the following counties: (counties).
8. The convicting court or diverting authority was (court);
9. More than [ ] one [ ] three [ ] five [ ]  seven [ ] ten years have elapsed since petitioner fulfilled the terms of a diversion agreement, satisfied the sentence imposed, or was discharged from probation, a community services program, parole, post-release supervision, conditional release or a suspended sentence;
10. The petitioner has substantially complied with all registration requirements for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction.
11. The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;
12. The petitioner has not been convicted of a felony, other than a felony violation or aggravated felony violation of K.S.A. 22-4903, within the five years immediately preceding the filing of the petition and no proceedings involving any such felony are presently pending or being instituted against the petitioner.
13. The conviction for which expungement is sought is not one of the offenses set out in K.S.A. 21- 6614(e), for which no expungement is permitted;
14. The petitioner has demonstrated by clear and convincing evidence that the petitioner’s circumstances, behavior and treatment history demonstrate that the petitioner is sufficiently rehabilitated to warrant relief and registration is no longer necessary to promote public safety.
15. The petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:
	1. in any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution as defined in K.S.A. 76-12a01, and amendments thereto, of the department for aging and disability services;
	2. in any application for admission, or for an order of reinstatement, to the practice of law in this state;
	3. to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
	4. to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;
	5. to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;
	6. upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;
	7. to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;
	8. to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;
	9. in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;
	10. in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or K.S.A. 74-5602, and amendments thereto;
	11. for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 75-7c01 et seq., and amendments thereto; or
	12. for applications received on and after July 1, 2016, to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 75-7e01 through 75-7e09, and amendments thereto, and K.S.A. 50-6,141, and amendments thereto.
16. The petitioner shall also disclose that the arrest, conviction or diversion occurred in the following circumstances as deemed appropriate by the Court: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 **IT IS THEREFORE ORDERED** that the petitioner shall be removed from the offender registry and the arrest record, conviction or diversion record herein, named above, shall be expunged. The petitioner is no longer required to comply with the registration requirements of the Kansas Offender Registration Act. The Clerk of the District Court, upon receipt and filing herein shall send a certified copy of this Order of Relief from Offender Registration to the Kansas Bureau of Investigation and the sheriff of each county listed in paragraph 7. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to the Kansas Bureau of Investigation which shall notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest, conviction or diversion described herein.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_**.**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge of the District Court

Submitted by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Defendant’s Attorney

Name(Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 1:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 2:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City, State, Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Fax Number]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[E-mail Address]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Assistant County/District Attorney

Name(Print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 1:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 2:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City, State, Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Fax Number]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[E-mail Address]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_