

IN THE CIRCUIT COURT OF \_\_\_\_\_, ARKANSAS

\_\_\_\_\_ DIVISION

STATE OF ARKANSAS

PLAINTIFF

vs.

Case No. \_\_\_\_\_

DEFENDANT

\_\_\_\_\_  
(First, Middle and Last name)

PETITION TO SEAL FELONY UNDER ACT 1460 OF 2013;

A.C.A.16 - 90 - 1401, Et. Seq.

Comes the Defendant and for his/her petition to seal the record states:

1. The Defendant was arrested on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and charged with the offense(s) of :

\_\_\_\_\_  
\_\_\_\_\_  
A Class \_\_\_\_\_  felony  misdemeanor in violation of A. C. A. §

2. The Defendant either pled guilty or nolo contendere or was found guilty with the offense(s) of : \_\_\_\_\_

\_\_\_\_\_  
A Class \_\_\_\_\_  felony  misdemeanor in violation of A. C. A. §

3. The Defendant has completed his or her sentence for the felony.
4. Defendant has paid all court costs unless payment has been excused by the Court.
5. Defendant has repaid all Court ordered restitution.

6. Defendant's felony conviction was NOT one of the following
- a . A Class Y, Class A or Class B felony except as provided in A.C.A. §16-90-1406;
  - b . Manslaughter (§5-10-104);
  - c . An unclassified felony where the maximum possible sentence of imprisonment is more than ten (10) years;
  - d . A felony sex offense;
  - e . A felony involving violence under §5-4-501 (d) (2);
  - f . A felony traffic offense committed while the Defendant was the holder of a commercial learner's permit or commercial driver's license.
7. Defendant has had no more than one (1) prior felony before this conviction.
8.  Defendant was convicted either of a non-violent Class C felony or a non-violent Class D felony or other offense named in Ark. Code Ann. §16-90-1406 (a)(1) through(5) and has completed his or her sentence, or
- Defendant was convicted of a felony or other offense not named in Ark. Code Ann. §16-90-1406 (a)(1) through(5) and it has been at least five (5) years since Defendant has completed his or her sentence, or
- It has been at least one (1) year since the Court denied a Petition to Seal for this conviction.
9.  Defendant has no pending felony charges in any state or federal court; or
- Defendant has one or more pending felony charges in state or federal court and the status of that/those charges is/are as follows:
- \_\_\_\_\_
- \_\_\_\_\_
10. Defendant  **IS** or  **IS NOT** required to register as a sex offender under the Sex Offender Registration Act of 1997 (A.C.A. § 12-12-901, Et. Seq.)
11. Defendant requests the Court enter a finding that he or she has been rehabilitated.

WHEREFORE, the Defendant, \_\_\_\_\_,  
 prays this Court enter an Order Sealing the above referenced felony conviction(s)  
 pursuant to A.C.A. §16-90-1406.

<p>_____</p> <p>_____</p> <p>City: _____</p> <p>State: _____ Zip code: _____</p> <p><i>Defendant's Address</i></p>
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\_\_\_\_\_  
 Defendant's Signature

\_\_\_\_\_  
 Date

**VERIFICATION**

STATE OF ARKANSAS

COUNTY OF \_\_\_\_\_

Comes the Petitioner, \_\_\_\_\_, under oath and states that the foregoing Petition is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Petitioner

Subscribed and sworn to before me on this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**THE FOLLOWING INFORMATION IS REQUIRED FOR PROPER IDENTIFICATION OF THE DEFENDANT IN THE STATE AND NATIONAL RECORD SYSTEMS**

Race \_\_\_\_\_

Arrest Tracking Number \_\_\_\_\_

Sex \_\_\_\_\_

SID No: \_\_\_\_\_

DOB \_\_\_\_\_

FBI No. (If known) \_\_\_\_\_

Certificate of Service

I, \_\_\_\_\_, do hereby certify that a true and correct copy of the foregoing Petition has been provided to the Prosecuting Attorney for the County in which the Petition has been filed and the arresting agency by placing a copy of this Petition in the United States mail, postage prepaid, to said office or by hand delivering a copy to said office.

\_\_\_\_\_  
Defendant or Defendant's Attorney

\_\_\_\_\_  
Date