

JDF 612	Motion to Seal Conviction Records (District or County Court Conviction)	
1. Court <input type="checkbox"/> District <input type="checkbox"/> County Colorado County: _____ Court Address: _____	<i>This box is for court use only.</i>	
2. Parties to the Case Plaintiff: People of the State of Colorado v. Defendant: _____	3. Case Details Number: _____ Division: _____ Courtroom: _____	

4. Background

I submit this motion to seal conviction records under C.R.S. §§ 24-72-703 and 706 or 707.

5. My Information *(the Defendant)*

Date of Birth: _____

Mailing Address: *(with city/state/zip)* _____

Phone: _____

Email: _____

6. Records to be Sealed

I request that the following conviction records be sealed:

District or County Court Case Number: _____

Prosecuting Attorney

Sheriff's Department

Mailing Address: _____

Colorado Bureau of Investigation ***(Required)***

ATTN Identification-Seals, 690 Kipling St. STE 3000, Lakewood, CO 80215

Law Enforcement: *(Name)* _____ Case Number: _____

Mailing Address: _____

Law Enforcement: *(Name)* _____ Case Number: _____

Mailing Address: _____

Other: _____

Mailing Address: _____

Other: _____

Mailing Address: _____

7. Offense Information

I was convicted of these offenses in this case:

- Petty Offense(s) of _____
- Misdemeanor Offense(s) of _____
- Felony Offense(s) of _____

Date Sentenced: _____

Probation/Parole Supervision Termination Date: _____

a) Drug Offenses

Were any of these drug offenses committed before October 1, 2013?

- Yes. No.

Note: The court determines the eligibility of drug offenses (committed before October 1, 2013) by the offense’s classification at the time of sealing.

b) Psilocybin Offenses

Do the charges involve psilocybin or psilocyn (under the statutes listed below), and is the act no longer unlawful under C.R.S. § 18-18-434?

Statutes: C.R.S. §§ 18-18-403.5, 404, 405, 411, 412.7, 429, and 430.

- Yes. No.

c) Victim of Human Trafficking

Were you a victim of human trafficking and trafficked for the offense you committed?

- No.
- Yes.

Eligibility under C.R.S. § 24-72-707

8. Eligibility

a) Convictions Not Eligible

Note: These are not eligible for sealing under C.R.S. § 24-72-706.

- When the only charges in a case are:
 - Class 1 or Class 2 misdemeanor traffic offenses
 - Class A or Class B traffic infractions.
- A conviction for a violation of C.R.S. § 42-4-1301(1) or (2);

- A conviction for an offense for which the underlying basis involved unlawful sexual behavior as defined in C.R.S. § 16-22-102(9);
- A conviction for a violation of C.R.S. § 18-6-401;
- A conviction that is subject to one or more of the following provisions:
- Sentences for a crime involving extraordinary aggravating circumstances pursuant to C.R.S. § 18-1.3-401(8);
- A sentence for an extraordinary risk crime pursuant to C.R.S. § 18-1.3-401(10);
- Sentencing for a crime involving a pregnant victim pursuant to C.R.S. § 18-1.3-401(13);
- Sentencing for a crime pertaining to a special offender pursuant to C.R.S. § 18-18-407;
- Sentencing for a criminal conviction for which the underlying factual basis involves domestic violence as defined in C.R.S. § 18-6-800.3;
- Sentencing for a criminal conviction for a sexual offense pursuant to C.R.S. 18-3-401 through 418;
- Sentencing for any crime of violence pursuant to C.R.S. § 18-1.3-406;
- Sentencing for a felony crime enumerated in the Victim's Rights Act, C.R.S. § 24-4.1-302(1);
- Sentencing for a felony offense in violation of C.R.S. § 18-9-202;
- Sentencing for an offense classified as a class 1 or 2 felony or a level 1 drug felony pursuant to any section of Title 18 of the Colorado Revised Statutes;
- Sentencing for an offense classified as a class 3 felony pursuant to any section of title 18, except for marijuana cultivation under C.R.S. § 18-18-106(8)(a)(II)(B) as it existed prior to July 1, 1992; C.R.S. § 18-18-406(8)(a)(II)(B) as it existed prior to August 11, 2010; or C.R.S. § 18-18-406(6)(a)(II)(B) as it existed prior to October 1, 2013;
- Sentencing for an offense in violation of C.R.S. §§ 18-6-101 through 105;
- Sentencing for an offense in violation of: C.R.S. §§ 18-3.5-103(4) through (9); 18-5-902(1); or 18-7-203.

b) My Eligibility

I qualify to have my conviction records sealed because my conviction:

- Is eligible for sealing under C.R.S. §§ 24-72-706 or 707.
- A misdemeanor offense that is not eligible for sealing under C.R.S. § 24-72-706.

Check one:

- The **district attorney consents** to the sealing.
- I **request a hearing** to determine if the district attorney consents to the sealing.
- The **district attorney does not consent** to the sealing.

If the District Attorney does not consent (now or at the hearing), you must show by clear and convincing evidence that:

- the need for sealing the record is significant and substantial,
- the passage of time is such that you are no longer a threat to public safety, and

10. Criminal Record

Is a verified copy of your criminal history record (dated within the last 20 days) attached?

Yes. No.*

* If not, a copy must be filed within ten days of this Petition.

Note: A criminal history record may not be required if 'Yes' is selected in section 7(b).
The court will notify you if a criminal history will be needed for your case.

11. Harm or Adverse Consequences

For convictions other than petty offenses or petty drug offenses:

You must show that the harm to your privacy or the danger of unwarranted, adverse consequences outweighs the public interest in retaining the records.

12. Certificate of Service

On (enter service date) _____

I certify that I sent a copy of this document to the prosecuting attorney by: (select one)

- Colorado Courts E-Filing. (only available to lawyers)
- Regular Mail, addressed to:
Name & full address: _____
- Other: (explain) _____

13. Sign & Date

Print Your Name: _____

Signature: _____ Date: _____

Counsel Signature: (if any) _____

Esq. Reg No. _____