



**BEREA MUNICIPAL COURT, BEREA, OHIO
MOTION TO SEAL THE RECORD**

_____* CASE NO(s). _____
City/State of Ohio (Please Print)
VS. *
* JUDGE _____
*

DEFENDANT/APPLICANT (Please Print)

**APPLICATION FOR ORDER SEALING RECORD OF
CONVICTION(s), FINDING(s) OF NOT GUILTY AND / OR DISMISSAL(s)**

Defendant hereby makes application to the Court pursuant to Ohio Revised Code §2953.32 for the sealing of the conviction or §2953.52 for the finding of not guilty and/or dismissal in the above-stated Case(s). Defendant hereby provides the following information:

- 1) Charge(s) to be sealed: _____
- 2) Date(s) of conviction/dismissal/not guilty: _____
- 3) If Probation, Date Terminated: _____
- 4) Current Address of Applicant: _____

- 5) Applicant's Telephone: _____
- 6) Applicant's Driver's License No. : _____ D.O.B. _____

Defendant states that he/she is an eligible offender and has no criminal proceedings pending; is rehabilitated; that one year has passed since his/her final discharge; and, that the interests of defendant in having the records pertaining to this conviction, dismissal and/or finding of not guilty are not outweighed by any legitimate governmental needs to maintain those records.

Defendant / Applicant Signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above Application was delivered by hand or mail (circle one) to the Office of the Prosecutor on the _____ day of _____, 20 _____.

Defendant / Applicant Signature

**Post- DISMISSAL or
Post - NOT GUILTY**

**BEREA MUNICIPAL COURT
BEREA, OHIO**

City of _____
State of Ohio

vs.

Full Name: _____

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JOURNAL ENTRY
Date of Hearing _____
JUDGE MARK A. COMSTOCK

Case No. _____

This matter came on before the Court for hearing on the application for sealing of the Applicant’s official record. Upon consideration thereof, the evidence and arguments, the Court finds that the Defendant’s Application complies with 2953.52 (2) (a), that there is no criminal proceeding against the Applicant, that the Applicant’s rehabilitation has been attained to the satisfaction of the Court, and that the sealing of Applicant’s official record is consistent with the public interest.

Therefore, it is hereby ordered that all official records pertaining to this case shall be sealed and all indexed references thereto shall be sealed, that the proceedings in said case shall be deemed not to have occurred, and that the Applicant’s record shall be sealed, subject to the exceptions and provisions set forth in Revised Code Chapter 2953, as now enacted and hereinafter amended.

It is further ordered that no officer or employee of the State, or any political subdivision thereof, except as authorized by Division (D) and (E) of Section 2953.32 of Ohio Revised code, shall release, disseminate, or make available for any purpose involving employment, bonding, or licensing in connection with any business, trade, or profession to any person, or to any department, agency, or other instrumentality of the State Government or any political subdivision thereof, any information or other data concerning any arrest, indictment, trial hearing, conviction, or correctional supervision.

It is further ordered that copies of this Entry shall be served by the Clerk of this Court on the following by certified mail, return receipt requested:

- The Adult Probation Department of this Court;
- The Ohio State Highway Patrol
- The Records Department of the _____ (Ohio) Police Department;

- The Records Department of the Cuyahoga County Sheriff's Department;
- The Bureau of Criminal Investigation in the Office of the Attorney General of the State of Ohio;
- The Federal Bureau of Investigation;
- C.R.I.S. (Cuyahoga County Regional Information System)
- Any other entity that this Court has determined should be notified, as listed below:

It is further ordered that none of the foregoing persons shall inspect, use, or otherwise be made aware of the existence of the records pertaining to the applicant's conviction, except as provided in O.R.C. chapter 2953.

For purposes of the identification of the records to be expunged, the following information is provided for arresting agencies and custodians of arrest and conviction records:

Applicant's full name: _____

Applicant's address: _____

Previous address: _____

Applicant's sex: _____

Applicant's date of birth: _____

Applicant's Social Security number: ____ - ____ - ____

Court Case No.: _____

Charges: _____ (misdemeanor of the ____ degree), code section...

>> for example >> **Disorderly Conduct w/persisting (misdemeanor 4th degree) §2917.11A5E3a**
Ohio Revised Code

Date of Disposition: _____

Ohio BCI Number: _____

FBI Number: _____

By court order, Applicant requests that all fingerprint cards and other identifying indexes be destroyed.

MARK A. COMSTOCK, JUDGE

Post- CONVICTION

**BEREA MUNICIPAL COURT
BEREA, OHIO**

City of _____
State of Ohio

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JOURNAL ENTRY

Date of Hearing _____
JUDGE MARK A. COMSTOCK

vs.

Full Name: _____

Case No. _____

This matter came before this Court upon Defendant/Applicant's application for sealing the record of his conviction pursuant to O.R.C. 2953.31 to 2953.36. This Court finds as follows:

1. The applicant is an eligible offender;
2. No criminal proceedings are pending against the applicant;
3. The applicant has been rehabilitated to the satisfaction of this Court;
4. It is in the best interests of the applicant to have the records pertaining to his conviction sealed, and there is no legitimate need for the government to maintain these records.

Therefore, it is hereby ordered that all records pertaining to this case be sealed and all references to it be removed, except as otherwise provided in O.R.C. 2953.32. The proceedings of the case will be considered to have never occurred and the conviction of the applicant shall be sealed, subject to the exceptions listed in O.R.C. 2953.32.

It is further ordered that no officer or employee of the State of Ohio, or any political subdivision thereof, except as authorized by divisions (D) and (E),(F) and (G) of O.R.C. 2953.32, shall release or make available any information concerning any arrest, indictment, trial hearing, conviction, or correctional supervision, for any purpose involving employment, bonding, or licensing in connection with any business, trade, or profession, to any person, corporation, or department of the State or any political subdivision thereof.

It is further ordered that copies of this Entry shall be served by the Clerk of this Court on the following by certified mail, return receipt requested:

- The Adult Probation Department of this Court;
- The Ohio State Highway Patrol
- The Records Department of the _____ (Ohio) Police Department;
- The Records Department of the Cuyahoga County Sheriff's Department;
- The Bureau of Criminal Investigation in the Office of the Attorney General of the State of Ohio;
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- Any other entity that this Court has determined should be notified, as listed below:

It is further ordered that none of the foregoing persons shall inspect, use, or otherwise be made aware of the existence of the records pertaining to the applicant's conviction, except as provided in O.R.C. chapter 2953.

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Applicant's address: _____

Previous address: _____

Applicant's sex: _____

Applicant's race: _____

Applicant's date of birth: _____

Applicant's Social Security number: ____ - ____ - ____

Court Case No.: _____

Charge: _____ (misdemeanor of the ____ degree),
(state specific charge, example=THEFT) code section

>> for example >> **Disorderly Conduct w/persisting (misdemeanor 4th degree) §2917.11A5E3a**
Ohio Revised Code

Date of Conviction: _____

Ohio BCI Number: _____

FBI Number: _____

By court order, Applicant requests that all fingerprint cards and other identifying indexes be destroyed.

MARK A. COMSTOCK, JUDGE