

IN THE _____ COURT OF _____, ARKANSAS
_____ DIVISION

STATE OF ARKANSAS

PLAINTIFF

vs. Case No. _____

(First, Middle and Last name)

DEFENDANT

ORDER TO SEAL MISDEMEANORS UNDER ACT 1460 OF 2013;
A.C.A.16-90-1401, Et. Seq.

Before the Court is the Petition of the Defendant to seal his/her record. The Court finds and orders as follows:

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

in violation of A.C.A. § _____
2. The Defendant either pled guilty or nolo contendere or was found guilty of the offense(s) of: _____

in violation of A.C.A. § _____
on the _____ day of _____, _____.
3. The Defendant has completed his or her sentence for the misdemeanor offense and has complied with all conditions of probation, if any.
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 has paid all driver's license suspension reinstatement fees and completed all driver's license reinstatement requirements if Petitioner's drivers' license was suspended as a result of this plea or conviction.
7. Defendant has completed all of these requirements and the conviction was not for one of the named misdemeanors listed in A.C.A. § 16-90-1405(b)(1); or
 It has been at least five (5) years since Defendant completed his or her sentence if the conviction was for one of the named misdemeanors listed in A.C.A. § 16-90-1405(b)(1); or
 It has been at least ninety (90) days since the Court denied a Petition to Seal for a conviction that is not for one of the named misdemeanors listed in A.C.A. § 16-90-1405(b)(1); or
 It has been at least one (1) year since the Court denied a Petition to Seal for a conviction that is for one of the named misdemeanors listed in A.C.A. § 16-90-1405(b)(1).
8. The Defendant was either not a holder of a commercial driver's license at the time of conviction or if he or she did hold a commercial driver's license at the time of conviction, the conviction was not for a traffic offense.
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. There is no clear and convincing evidence as to why the Defendant's Petition should not be granted.

IT IS, THEREFORE, by the Court, ORDERED that the Petition of the Defendant, _____, to seal the above referenced misdemeanor conviction(s) pursuant to A.C.A. §16-90-1405 should be, and hereby is GRANTED.

IT IS FURTHER ORDERED that the Clerk is directed to mail or transmit a certified copy of the ORDER to the Arkansas Crime Information, the Administrative Office of the Courts, the prosecuting and/or city attorney, the District Court Clerk, if applicable, and the arresting agency. Each of those agencies shall comply with the requirements of A.C.A. §16-90-1413 as it pertains to them.

Judge

Date

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

Race _____
Sex _____
DOB _____

Arrest Tracking Number _____
SID No. _____
FBI No. (if known) _____