

IN THE MUNICIPAL COURT OF JUNCTION CITY, KANSAS
PO BOX 287
Junction City, KS 66441
785-762-4666

City of Junction City _____

Plaintiff,

Case No#: _____

vs.

Defendant,

PETITION FOR EXPUNGEMENT OF CONVICTION/DIVERSION

I respectfully request of the Court an order of expungement of my conviction and related arrest records **OR** diversion record and related arrest records. In support thereof, I state the following:

1. My full name is _____;
2. My full name at the time of my arrest or conviction, if different than #1, was _____;
3. I am a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. I was arrested in _____ County, Kansas on _____ [Date] by _____ [Law Enforcement Agency] and charged with the crime of _____;
5. I was convicted of _____ on _____ [Date];

OR

I was granted a diversion for the crime of _____ on _____ [Date];

6. The convicting court or diverting authority was _____;
7. The date of final discharge was _____;
8. More than one three five ten years have elapsed since I fulfilled the terms of a diversion agreement, satisfied the sentence imposed, or was discharged from probation, a

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community services program, parole, post-release supervision, conditional release or a suspended sentence;

I was convicted/ received a diversion for prostitution and I can prove that I was acting under coercion. Coercion means: threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

9. I have 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 me;

10. The conviction or diversion 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; 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 expungement.

Defendant, Pro Se

Name (Print): _____

Address 1: _____

City, State, Zip: _____

Telephone Number: _____

[E-mail Address]: _____

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| Conviction | Date when crime was committed | Time since sentence completed | Time since diversion completed | Time since discharged from probation, community correctional services, parole, post release supervision, conditional release or suspended sentence | Expungement Available | K.S.A. with more details |
|--|--|--------------------------------------|---------------------------------------|---|------------------------------|--|
| applying for title of a motor vehicle under a false name or address | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| crime punishable as a felony wherein a motor vehicle was used | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| cigarette or tobacco infraction | Not relevant | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| driving under the influence – regardless of number of offenses (see K.S.A. 8-1567) | Prior to July 1, 2006 | 5 years | 5 years | 5 years | Yes | 21-4619 (repealed and transferred to 21-6614 – L. 2010, Ch. 136) |
| driving under the influence – 1 st offense (see K.S.A. 8-1567) | On or after July 1, 2006 | 5 years | 5 years | 5 years | Yes | 21-6614(d) |
| driving under the influence – 2 nd or subsequent offense (see K.S.A. 8-1567) | *On or after July 1, 2006 except those committed on or after July 1, 2014, and prior to July 1, 2015 | 10 years | N/A | 10 years | Yes | 21-6614(d) |

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|--|--|---------|---------|---------|-----|---|
| driving under the influence – 2 nd or subsequent offense (see K.S.A. 8-1567) | *On or after July 1, 2014, and prior to July 1, 2015 | 7 years | N/A | 7 years | Yes | 21-6614(d) L. 2014, Ch. 102 § 6. L. 2015 Ch. 71, § 4. |
| driving while canceled, suspended or revoked | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| failing to have motor vehicle insurance | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| failing to stop at the scene of an accident and perform required duties | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| misdemeanor | Not relevant | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| nondrug crime ranked in severity levels 1 through 5 | On or after July 1, 1993 | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| nondrug crime ranked in severity levels 6 through 10 | On or after July 1, 1993 | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| perjury | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| prostitution | Not relevant | 1 year | 1 year | 1 year | Yes | 21-6614(b) |
| traffic infraction | Not relevant | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| vehicular homicide | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| class A, B, or C felony | Not relevant | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| class D or E felony | Not relevant | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| felony ranked in severity levels 1 through 3 of drug grid | Between July 1, 1993 and July 1, 2012 | 5 years | 5 years | 5 years | Yes | 21-6614(c) |

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| | | | | | | |
|---|---------------------------------------|---------|---------|---------|-----|------------|
| felony ranked in severity levels 1 through 4 of drug grid | On or after July 1, 2012 | 5 years | 5 years | 5 years | Yes | 21-6614(c) |
| felony ranked in severity level 4 of drug grid | Between July 1, 1993 and July 1, 2012 | 3 years | 3 years | 3 years | Yes | 21-6614(a) |
| felony ranked in severity level 5 of drug grid | On or after July 1, 2012 | 3 years | 3 years | 3 years | Yes | 21-6614(a) |