

IN THE MUNICIPAL COURT OF OTTAWA, KANSAS, FRANKLIN COUNTY

\_\_\_\_\_ [Name]

Petitioner

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

vs.

THE CITY OF OTTAWA

Respondent

**ORDER FOR EXPUNGEMENT OF ARREST RECORD**

Pursuant to K.S.A. 22-2410.

On this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, the Court considers the Petition for Expungement filed herein. The City appears by \_\_\_\_\_, City Prosecutor.

The petitioner appears  **pro se**  **in person** with \_\_\_\_\_ [Attorney's name, if any]. Others appearing, if any, are:

\_\_\_\_\_.

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court,  upon agreement of the parties,  having reviewed the file,  having received the evidence, and/or  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is \_\_\_\_\_;
2. The full name of the petitioner at the time of his/her arrest, if different than #1, was \_\_\_\_\_;
3. The petitioner is a \_\_\_\_\_ [Race] \_\_\_\_\_ [Sex] born in \_\_\_\_\_ [Year of Birth];
4. The petitioner was arrested in \_\_\_\_\_ County, Kansas on \_\_\_\_\_ by the Ottawa Police Department for the crime of \_\_\_\_\_;
5. CHOOSE **ONE** OF THE FOLLOWING:

a.  The arrest occurred because of mistaken identity;

**OR**

b.  The arrest occurred as a result of mistaken identity or another person using the identifying information of the named person, and the charge against the named person was dismissed or not prosecuted;

**OR**

c.  A court found that there was no probable cause for the arrest;

**OR**

d.  The petitioner was found not guilty in court proceedings;

**OR**

e.  The expungement is in the best interests of justice and charges have been dismissed or no charges are likely to be filed.

**IT IS THEREFORE ORDERED** that petitioner's arrest records herein, named above, shall be expunged and petitioner shall be treated as not having been arrested. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to the Kansas Bureau of Investigation which shall notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest described herein.

*If the expungement is granted because of 5b above,*

**IT IS FURTHER ORDERED**, the Kansas bureau of investigation is to purge the arrest information from the criminal justice information system central repository and all applicable state and federal databases.

*If the expungement is granted because of 5e. above,*

**IT IS FURTHER ORDERED**, in the interest of public welfare, that the petitioner shall disclose the arrest herein expunged as follows:

1.  In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01 and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01 and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01 and amendments thereto, of the department for aging and disability services;
2.  In any application for admission, or for an order of reinstatement, to the practice of law in this state;
3.  To aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
4.  To aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;
5.  In any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142 and amendments thereto;
6.  To aid in determining the petitioner's qualifications to be an employee of the state gaming agency;
7.  To aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

8.  In the following circumstances as deemed appropriate by the Court:

\_\_\_\_\_  
\_\_\_\_\_.

**IT IS SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Judge of the Municipal Court

Submitted by:

Approved by:

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
City Prosecutor

Name(Print): \_\_\_\_\_

Name(Print): \_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_

Address 1: \_\_\_\_\_

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

Address 2: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

[Fax Number]: \_\_\_\_\_

[Fax Number]: \_\_\_\_\_

[E-mail Address]: \_\_\_\_\_

[E-mail Address]: \_\_\_\_\_