

LORAIN MUNICIPAL COURT



APPLICATION FOR SEALING A RECORD AFTER A FINDING OF NOT GUILTY OR DISMISSAL



LORAIN MUNICIPAL COURT SEALING OF RECORDS DISCLAIMER

When a court orders a record sealed, it is effective on the date of the order to seal the official record and the record of the arresting agency and jail, if applicable. While a case is pending and until a record is sealed, it is a public record. While a public record, individuals and private business may download information from court, police, or jail files. The court order to seal does not undo such dissemination or apply to private businesses that may have downloaded your case information before the sealing.

Therefore, private businesses may still have your case information even after your official record is sealed. If you become aware of such knowledge, it is your responsibility to notify the holder of the information and request that they comply with the spirit of the sealing law and delete their records. You should be aware that, under current law, they are not required to do so.



LORAIN MUNICIPAL COURT

INSTRUCTIONS FOR COMPLETING APPLICATION FOR SEALING RECORDS

Conviction Offense is the charge to which you entered a plea. For instance, you may have been charged with Assault but, after negotiation or a plea bargain, that charge was reduced to Disorderly Conduct, then Disorderly Conduct is the Conviction Offense and what you enter into that line.

Date of Conviction is the date on which the plea was given to and accepted by the Court.

Date sentence completed refers to the following:

Any requirement of your sentence has to have been completed. All fines and costs must be paid in full. Any court ordered community service must have been completed with proof provided to the Court. Any restitution ordered by the Court must have been paid and proof provided to the city prosecutor's office. Any supervised probation (Active, Monitored Time, ISP, etc.) must have been successfully terminated. If anything else was required as part of your sentence upon conviction, such as a letter of apology, drug/alcohol counseling, reading or writing assignment, et cetera, that, too, must have been accomplished with proof shown to the Court.

The date of the last thing completed is the date which you should use for the Date Sentence Completed line of the form.

Original Charge is the charge which was on your complaint or ticket.

Date of Disposition is the date when the charge was dismissed in Court.

Dismissed with or without prejudice can be found on your dismissal entry. With prejudice means that the charge cannot be refiled against you and you paid court costs. Dismissed without prejudice means that the charge could be refiled, and you did not pay court costs.

The second page of either form has to be signed and sworn to in front of a Notary Public. Because we need the original signatures and notary stamp, this form must be mailed to the court with the \$50 filing fee. It cannot be faxed or emailed.

We will use the information on the form as contact information for you, so be sure that it's correct and current.

A hearing regarding the sealing application will be scheduled at the time of filing your application. You are not required to attend this hearing. However, if the prosecutor files an objection to your application, you will be notified of a new hearing date. You will be required to appear in court at that new time.

LORAIN MUNICIPAL COURT

100 WEST ERIE AVE
LORAIN, OH 44052
440-204-2580

State of Ohio, City of _____
Plaintiff,

Case. No. _____

v.

MOTION TO SEAL THE RECORD

Defendant/Applicant (please print).

APPLICATION FOR ORDER SEALING RECORD OF DISMISSAL OR FINDING OF NOT GUILTY

Defendant hereby makes application to the Court pursuant to Ohio Revised Code § 2953.52 for sealing of record upon dismissal or finding of not guilty in the above stated case. Defendant hereby provides the following information:

- 1. Dismissal Offense _____
- 2. Date of Dismissal _____
- 3. Dismissed without prejudice Yes _____ No _____
- 4. Current address _____

- 5. Current telephone # _____
- 6. DOB _____
- 7. Driver's License Number & State _____
- 8. SSN _____

AFFIDAVIT:

Defendant states that the above captioned case(s) is eligible for sealing, that there are no criminal proceedings pending, and that the interests of Defendant in having the record sealed pertaining to this case are not outweighed by any legitimate government needs to maintain that record.

Date: _____

Signature of Defendant/Applicant

Sworn and subscribed before me, a notary public, this ___ day of _____, ____.

Clerk/Deputy Clerk/Notary Public

My commission expires: _____