

DISTRICT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH DEPARTMENT
PETITION TO SEAL INFORMATION SHEET

If your conviction is eligible for sealing, you will need to complete a form called the "Uniform Petition and Order to Seal". You can find this form on the Arkansas Crime Information Center website at www.acic.org under Forms. You may also locate the Court's general petition form on the Court's website at www.districtcourtfortsmith.org, then select the "Uniform Petition to Seal" icon.

If you have questions regarding your eligibility or the appropriate forms to use, you will need to refer to the Arkansas Comprehensive Criminal Record Sealing Act. (A.C.A. 16-90-1401 et seq.) or contact an attorney. It is the petitioners responsibility to follow up with the Court regarding the petition throughout the process. Your petition must be filed in the Court in which the case was adjudicated or the Court in which the case was filed if it did not result in a conviction.

You may review your criminal history record by submitting a request to the Arkansas Crime Information Center or by obtaining a criminal background check through the Arkansas State Police. This may help you determine the charge(s) that you wish to have sealed. The Uniform Petition to Seal must have all the blanks completely filled. Failure to properly complete the petition in its entirety could result in your petition being denied. A separate petition form must be submitted for each arrest. There is no limit to the number of times a person can be granted an expungement/seal. There is no fee for filing a petition to seal.

PROOF OF REINSTATED DRIVING PRIVILEGES REQUIRED

If any conviction listed within your petition imposed a suspension of your driving privileges, you must provide the Court with a certified copy of your driving record indicating that your license is fully reinstated and that the required reinstatement fees are paid in full. This includes a suspension that may have been imposed as a result of a warrant being issued for your arrest for failing to appear, failure to comply with a court order or failing to pay fines associated with any of the charges listed in your petition. If this information is unknown, please provide a statement from Driver Control proving that you have a valid driver's license.

FILING YOUR PETITION TO SEAL WITH THE COURT

To file your petition with the Court, you must submit the following forms:

(All forms must be in the proper format and must be completely filled out or they will be refused.)

- 1.) Petition to Seal form.
- 2.) Proof of Reinstated Driving Privileges (only if sentence imposed a suspension of your DL)
If you wish to obtain a file marked copy of the petition for your records, you will need to provide the additional copies, otherwise you will be charged a copy fee for each page.)

WAITING PERIOD FOR PROSECUTOR TO FILE OBJECTION TO THE PETITION

The prosecuting attorney has thirty (30) days from date of service to file an objection to your request. The Court cannot begin the processing your request until the thirty (30) day waiting period has expired. If an objection is made, the matter will be set for hearing before a Judge, at which time he/she will determine if your request should be granted or denied. If there is no objection filed, the petition will be processed accordingly.

GRANTING/DENIAL OF YOUR PETITION

If at any time, the petition is denied, a letter will be sent to the mailing address you provided on the petition. This letter will indicate the reason for the denial.

If your petition is granted, you can expect a copy of the signed Order to be mailed to you and the appropriate agencies within five (5) to ten (10) business days after the Order is signed.

**IN THE DISTRICT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH DEPARTMENT**

(This form is for use ONLY when filing a petition to seal a misdemeanor arrest or conviction that was filed in the Fort Smith District Court. ALL other matters must be filed on a different form and must be filed in the appropriate Court. (Visit www.acic.org under Forms)

(You may also use this form and file your petition with this Court if you had a felony filed in this Court that was either reduced to a misdemeanor or nolle prossed and NOT re-filed in Circuit Court.)

- STATE OF ARKANSAS
- CITY OF FORT SMITH

PLAINTIFF

CASE #: _____
(a separate form is required for each case)

VS.

DEFENDANT

Defendant Name: (First, Middle, Last)

Date of Birth: _____ Race: _____ Sex: _____

PETITION TO SEAL

Comes the Defendant and for his/her petition to seal the record states:

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

List the Classification, if it was a misdemeanor or felony, a charge description and the charging statute.

_____ Misd/Felony _____	A.C.A. _____
_____ Misd/Felony _____	A.C.A. _____
_____ Misd/Felony _____	A.C.A. _____
_____ Misd/Felony _____	A.C.A. _____
_____ Misd/Felony _____	A.C.A. _____