

ADVISEMENT TO DEFENDANT CONCERNING THE SEALING OF RECORDS

Pursuant to §24.72.308, C.R.S., any person in interest may petition the District Court in the county in which any arrest and/or criminal records filed. Instructions are located at www.courts.state.co.us.

You **may only** petition the Court to seal arrest or criminal records if the Defendant meets one of the following requirements:

- All charges were **dismissed**, or the Defendant was **acquitted** of all charges.
- There is only an arrest record and no charge were filed in a Court.
- The Defendant had a case that was dismissed due to a plea agreement in another case and **10 or more years have passed** from the final disposition of all criminal proceedings and no additional criminal charges since the date of the final disposition of all criminal proceedings have been filed against the Defendant.

You **may not** petition the Court to seal arrest or criminal records if:

- The Defendant has been convicted of an offense for which the factual basis involved unlawful sexual behavior pursuant to §16.22.102(9), C.R.S.; or
- An offense was not charged due to a plea agreement in a separate case, but **10 years have not passed** since the final disposition of all criminal proceedings against the Defendant; or
- A dismissal occurred as part of a plea agreement in a separate case but **10 years have not passed** since the final disposition of all criminal proceedings against the Defendant; or
- The Defendant still owes restitution, fines, court costs, late fees, or other fees ordered by the Court in the case of being requested to seal unless the Court has vacated such order; or
- The offense pertains to a class 1 or class 2 misdemeanor traffic offense, or to a class A or class B traffic infraction, or a conviction for a violation of Driving Under the Influence, § 42.4.1301(1) or (2), C.R.S.;
- The conviction pertains to an offense concerning the holder of a commercial driver's license or the operator of a commercial motor vehicle.