

IN THE COURT OF COMMON PLEAS OF ALLEN COUNTY, OHIO

STATE OF OHIO,

CASE NO.: CR \_\_\_\_\_

Plaintiff

-v-

JUDGMENT ENTRY  
SEALING FELONY RECORD  
R.C. 2953.32

Defendant

\*\*\*\*\*

This matter came on for a hearing on defendant's Motion to Seal Record of Conviction. The Court ordered a post-sentence investigation by the Allen County Adult Probation Department. The post-sentence investigation was completed and reviewed by the Court. The defendant was present at the hearing and was represented by \_\_\_\_\_ Assistant Prosecuting Attorney \_\_\_\_\_ represented the State of Ohio.

The Court being fully advised of the premises, finds:

1. The date of the offense for which the application is made was:\_\_\_\_\_.
2. The defendant was arrested on: \_\_\_\_\_.
3. The defendant was convicted of: \_\_\_\_\_.
4. Defendant's date of birth is: \_\_\_\_\_ The last four digits of the Defendant's social security number are: \*\*\* \*\* \_\_\_\_\_.
5. The Defendant is an "Eligible offender" as defined in R.C. 2953.31 in that he/she has been convicted of an offense in this state or any other jurisdiction and he/she has not more

than one felony conviction, not more than two misdemeanor convictions if the convictions are not of the same offense, or not more than one felony conviction and one misdemeanor conviction in this state or any other jurisdiction.

6. That if defendant's offense was a misdemeanor, the forfeiture of bail was agreed to by the applicant and the prosecutor in the case.
7. The appropriate time has expired, to wit:
  - a) three years after the offender's final discharge if convicted of a felony,
  - b) one year after the offender's final discharge if convicted of a misdemeanor.
8.
  - a) criminal proceedings are NOT pending against the applicant;
  - b) the applicant has been rehabilitated to the satisfaction of the court;
  - c) the prosecutor has NOT filed an objection in accordance with division (B) of R.C. 2953.32, or the prosecutor has filed an objection and the Court has considered the reasons against granting the application specified by the prosecutor in the objection;

The Court has also weighed the interests of the applicant in having the records pertaining to the applicant's conviction sealed against the legitimate needs, if any, of the government to maintain those records.

It is therefore ORDERED that all official records pertaining to this case be sealed and, except as provided in R.C. 2953.32 (D), (E) & (F), all index references to the case deleted.

The proceedings in this case shall be considered not to have occurred and the conviction of the applicant shall be sealed, except that upon conviction of a subsequent offense, the sealed record of prior conviction may be considered by the court in determining the sentence

or other appropriate disposition, including the relief provided for in sections 2953.31 to 2953.33 of the Revised Code.

It is further ORDERED that all official records pertaining to this case be sealed and, except as provided in R.C. 2953.32(D), all index references to the case deleted.

It is further ORDERED that the Clerk of Courts shall forward a copy of this judgment entry to the Allen County Prosecutor, Lima Police Department, the Allen County Sheriff's Department, Lima Municipal Court, the Federal Bureau of Investigation, the Ohio Department of Rehabilitation and Correction, the Ohio Bureau of Criminal Identification and Investigation, The Criminal Justice Investigation Services (1000 Custer Hollow Rd., Clarksburg, WV 26306), and the defendant.

It is further ORDERED that inspection of the sealed records may be made only pursuant to R.C. 2953.32(D).

It is further ORDERED that defendant pay all costs related to this motion.

Date:

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JUDGE