

INSTRUCTIONS:

- File your application with the Court where you were convicted. (NOTE: There is no filing fee.)
- If you are filing in person, bring a valid government-issued photo ID proving you were the defendant in the case.
- If you are filing by mail, have your application notarized. (NOTE: You must sign your application in front of the notary public.)

DISCLAIMER: When the records concerning a conviction are expunged, the case information is unavailable to anyone except: 1) a law enforcement agency to which you are applying for a job as a police or peace officer, or 2) a pistol permit licensing officer/bureau to which you are applying for a pistol permit. Please be advised that, if the arrest and conviction records are destroyed, the Division of Criminal Justice Services (DCJS) will no longer have any record of the case and will be unable to verify that the conviction was vacated, the case dismissed, and the record expunged. In other words, it will appear that the events never occurred. Please consider this consequence carefully, and you may wish to consult with an attorney.

APPLICATION TO DESTROY EXPUNGED MARIHUANA CONVICTION RECORD

I had a marihuana conviction for Penal Law section 221.10 and/or Penal Law section 221.05. I am requesting that the arrest, prosecution and Division of Criminal Justice Services' records for my expunged marihuana conviction are destroyed according to the provisions of Criminal Procedure Law sections 1.20(45) and 160.50(5)(a). I submit the following case information for the Court to process my application (NOTE: this information is required):

Name on Docket/Case: _____
 First _____ Middle _____ Last _____

Aliases (if any): _____

Date of Birth: _____
 (Enter in MM/DD/YYYY format) month day year

County where convicted: _____

Court where convicted: _____
 (Check one only) Supreme Court City Court, City of _____
 County Court Town Court, Town of _____
 District Court Village Court, Village of _____

IMPORTANT: If you do not have the following case information, check the applicable "unknown" box.	
Court Docket/Case Number:	_____ Unknown
CJTN/Criminal Justice Tracking Number (NOTE: If you were not fingerprinted in this case, write NONE.):	_____ Unknown
NYSID/New York State Identification Number (NOTE: If you were not fingerprinted in this case, write NONE.):	_____ Unknown

My mailing address and contact information for correspondence regarding this application is:

Address: _____
 Building Number & Street Name or P.O. Box City/Town State Zip Code

Cell Phone (optional): _____

Email Address (optional): _____

I understand that the above information (except Cell Phone and Email Address) is required for the Court to process my application and that my application cannot be processed if any required information is missing or incorrect.

Dated: _____

 Signature of Defendant or Defense Attorney

Sworn to before me this _____
 day of _____, 20____.

 Notary Public

FOR COURT USE ONLY – DO NOT WRITE BELOW THIS LINE		
YES	NO	APPLICATION PROCESSING CHECKLIST
		1. Applicant provided proper ID if filed in person or application is notarized if filed by mail.
		2. All required information is completed, and the court clerk has checked and verified the information is correct.
If the answer is "NO" for item 1 or 2 above, stop here and do not process the application any further.		
		3. PL §221.05 or PL §221.10 marihuana charge is sealed pursuant to CPL §160.50(5)(a) in case management system. NOTE: See special instructions for sealing in ADBM and CRMS.
		4. "Application for Destruction Submitted" docket/charge comment is entered in case management system.
		5. Application is scanned/uploaded to case management system and/or placed in case file, as applicable.
		6. Copies of application sent to prosecutor, law enforcement agencies and DCJS as applicable for further processing.