

IN THE _____ JUDICIAL DISTRICT
DISTRICT COURT OF _____ COUNTY, KANSAS

Petitioner [Name]

Case No. _____

vs.

THE STATE OF KANSAS
Respondent

PETITION FOR EXPUNGEMENT OF ARREST RECORD

Pursuant to K.S.A. 22-2410.

I respectfully request of the Court an order of expungement of my arrest record. In support thereof, I state the following:

1. My full name is _____;
2. My full name at the time of my arrest, if different than #1, was _____;
3. I am a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. I was arrested in _____ County, Kansas on _____ [Date] by _____ [Law Enforcement Agency] for the crime of _____;
5. Expungement of my arrest record is proper because:

[CHOOSE ONE OF THE FOLLOWING]

a. The arrest occurred because of mistaken identity;

OR

b. There was no probable cause for the arrest;

OR

c. I was found not guilty in court proceedings;

OR

- d. The expungement would be in the best interests of justice and charges have been dismissed or no charges have been or are likely to be filed;

I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my knowledge and I respectfully request that the Court set this matter for hearing and grant the expungement.

Petitioner, Pro Se
Name (Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone Number: _____
[Fax Number]: _____
[E-mail Address]: _____

Authority

K.S.A. 22-2410.

Notes on Use

K.S.A. 22-2410 allows any person who has been arrested in Kansas to petition the court for expungement of such arrest record. The statute is intended to apply to relatively innocent arrestees, i.e. people who were arrested but, due to a variety of reasons, were not convicted of a crime. The statute does not apply to situations wherein a person is arrested and subsequently enters into and completes a diversion agreement to avoid having a conviction on record. *State v. Yrigolla*, 38 K.A.2d 1029 to 1033, 175 P.3d 276 (2008). This form is intended for use when one has been arrested due to mistaken identity, a court has found there was not probable cause for the arrest, one has been found not guilty in court, or charges have been dismissed or are not likely to be filed.

If a person has been charged with and convicted of a crime, or entered into and completed a diversion agreement, K.S.A. 21-6614 applies to expungement of such records including related arrest records.