

## Information for Sealing Records in Nevada

The Reno Municipal Court provides the information and forms necessary to seal your records. Court staff is prohibited from giving advice on any legal matters. You may hire an attorney to assist you.

Please review the applicable NRS before attempting to seal your records:

NRS 179.245 <http://www.leg.state.nv.us/NRS/NRS-179.html#NRS179Sec245>

NRS 179.255 <http://www.leg.state.nv.us/NRS/NRS-179.html#NRS179Sec255>

(Full texts of the above NRS are available at the links listed).

There is also helpful information on the Washoe County Law Library website:

<http://www.co.washoe.nv.us/repository/files/23/SCR-Instructions.pdf>

### List of agencies related to sealing of records:

<u>Agency</u>	<u>Physical Address/Website</u>	<u>Phone Number</u>
Reno Municipal Court Records Division	One South Sierra Street, Reno, NV, 89501 <a href="http://reno.gov/government/municipal-court">http://reno.gov/government/municipal-court</a>	775-334-2290
Reno Police Department Records Division	455 E. Second Street Reno, NV, 89502 <a href="http://reno.gov/government/departments/police">http://reno.gov/government/departments/police</a>	775-334-2155
Nevada Department of Public Safety Criminal Repository	333 West Nye Lane, Carson City, NV, 89706 <a href="http://nvrepository.state.nv.us/crim_nav.shtml">http://nvrepository.state.nv.us/crim_nav.shtml</a> <b>(Request form and instructions attached)</b>	775-684-6262
Reno City Attorney Criminal Division	One East First Street, Reno, NV, 89501 <a href="http://reno.gov/government/departments/city-attorney">http://reno.gov/government/departments/city-attorney</a>	775-334-2050
Washoe County Sheriff's Office	911 Parr Boulevard, Reno, NV, 89512 <a href="http://www.washoesheriff.com/">http://www.washoesheriff.com/</a>	775-328-3030

### The following forms are required to Petition to seal criminal records and are included in this information packet:

1. Petition to Seal Records (2 pages + Exhibit(s))
2. Stipulation to Seal Records (1 pages)
3. Order to Seal Records (2 pages)
4. Return (1 page) (Separate Return is required for each court, company, agency or official being directed to seal criminal records)
5. Certificate of Service (1 page)
6. Instructions for obtaining a Nevada Criminal History and Request for NV Criminal History (3 pages).

# **INSTRUCTIONS FOR SEALING RECORDS OF CRIMINAL CASES OCCURRING IN THE RENO MUNICIPAL COURT**

## **WHEN YOU CAN APPLY**

Nevada Law (NRS 179.245 and NRS 179.255) allows you to petition the Reno Municipal Court to seal your criminal records for misdemeanor cases handled in the Reno Municipal Court as follows:

1. At any time after there has been a dismissal or an acquittal (“not guilty” at trial);
2. For DUI or domestic battery convictions:
  - (a) After 7 years from the date of release from custody or
  - (b) After 7 years from the date when you are no longer under a suspended sentence, whichever occurs later;
3. For all other misdemeanor convictions:
  - (a) After 2 years from the date of your release from custody or
  - (b) After 2 years from the date when you are no longer under a suspended sentence, whichever occurs later.
4. In order to seal misdemeanor convictions, you must not have a pending criminal charge or conviction of any offense, except for minor traffic violations, within the two or seven year windows described above. See NRS 179.245(4).

## **HOW YOU APPLY TO SEAL YOUR RECORDS**

1. Fill out the Petition to Seal Criminal Records. The form is included with this information packet.
2. Be sure that the Petition names any public or private agency, company, official or other custodian of records that is reasonably known to you to have possession of records of your criminal case and, if known, the person to whom the Order to Seal Records should be directed if it is granted.
3. The Petition must be signed by you under penalty of perjury. You must attach the exhibits listed below.

## **OBTAIN COPIES OF YOUR CURRENT, VERIFIED CRIMINAL HISTORY TO ATTACH AS EXHIBITS**

1. Your Petition to Seal Records must be accompanied by your current, verified record from both:
  - a. The central repository for Nevada Records of Criminal History\* and
  - b. All agencies of criminal justice which maintain such records within the city or county in which the conviction was entered or in which the Petitioner appeared in court. The request form is included with this information packet.

\* Department of Public Safety, Division of Records & Technology, 333 West Nye Lane, Suite 100, Carson City, NV 89706, Telephone: (775) 684-6262.

2. In order to obtain each record of your criminal history, you must first be fingerprinted at your own expense. You can do this at your local police department, sheriff's office or at a private fingerprint service. If you need multiple criminal histories as exhibits, get multiple sets of fingerprints taken (one for each agency).
3. Send or take the original fingerprint card to the appropriate law enforcement agency and, if necessary, to the Criminal History Repository along with their request form and payment (Money Order or Cashier's Check). Allow 2-4 weeks to get your criminal history in the mail.

## **THE COURT PROCEEDINGS**

1. Once you receive your criminal history, attach it/them as exhibit(s) to your Petition. Make a full copy of all the documents for yourself and one copy for the Reno City Attorney's Office. File the Petition package (including the copies) with the Reno Municipal Court Clerk in person at One South Sierra Street, 1<sup>st</sup> Floor, Reno, Nevada or mail to Reno Municipal Court Clerk at P.O. Box 1900, Reno, Nevada 89505 (include a self-addressed envelope for the Clerk to return the file-stamped copies to you). There is a \$100 filing fee that must be paid in order to file the Petition to Seal Records. The Clerk will keep the original Petition and will send you the other two file-stamped copies. You must mail or deliver a copy to the Reno City Attorney's Office and keep one for your records. Also, as with any filing with the Court there must also be a Certificate of Mailing (see attached sample).
2. The Court will notify the law enforcement agencies listed in your Petition and the Reno City Attorney's Office of your Petition and will set a date for a hearing and send you a Notice of Hearing. You should contact the Reno City Attorney to see if they will sign a Stipulation (agreement) agreeing to the records sealing and waiving (not holding) the hearing. If there is a signed Stipulation, you will not have to attend the hearing. If there is no agreement, you must attend the hearing and present evidence to the Court that you qualify for records sealing.

3. If the sealing request is granted you must get a sufficient number of certified copies of the Order to Seal Records from the Court to deliver to each of the persons/entities or law enforcement agencies listed in your Petition. **(Note: The FBI will not process requests; you must send the request to the Nevada Criminal History Repository who will notify the FBI).** You may also include a Return form for signature of the respective agency sealing the record notifying the Court when the agency has sealed your records (you fill in the case name and number). The Return Form is included with this information packet. When your records are sealed, all proceedings regarding your case are legally deemed to have “never occurred” and you may then legally answer accordingly to any inquiry, including, without limitation, an inquiry relating to an application for employment, concerning the arrest, conviction, dismissal or acquittal and the events and proceedings relating to the arrest, conviction, dismissal or acquittal.

**NOTE:** Even though the Court may order it, criminal justice agencies outside the state of Nevada are not required to follow the Sealing Order. Often they do but some may not because they are governed by their own state law.

4. If the Petition to Seal Records is denied, you may apply to the Court for a re-hearing two years after the date of denial. No person can petition for more than two re-hearings of the same case.

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**IN THE MUNICIPAL COURT OF THE CITY OF RENO  
COUNTY OF WASHOE, STATE OF NEVADA**

In the matter of: \_\_\_\_\_ Case No. \_\_\_\_\_  
\_\_\_\_\_,  
(Defendant's Name) Dept. No. \_\_\_\_\_

Date of birth: \_\_\_\_\_

Petitioner.  
\_\_\_\_\_ /

**PETITION TO SEAL RECORDS**

COMES NOW, the above-named Petitioner, and pursuant to the provisions of NRS 179.245 and/or NRS 179.255, petitions the Court to seal criminal records. Petitioner was arrested /or charged on \_\_\_\_\_ by the \_\_\_\_\_ with the crime of \_\_\_\_\_  
Date Law Enforcement Agency

There was an \_\_\_ Acquittal at trial; \_\_\_ Dismissal of all charges; \_\_\_ Conviction for which the sentence was successfully completed. The statutory time periods have been fulfilled and Petitioner has not been arrested since, except for minor moving or standing traffic violations, and no further actions will be brought concerning this arrest and conviction.

This Petition is being accompanied by one or more current, verified record(s) of this Petitioner's criminal history, attached as Exhibit(s) hereto.

WHEREFORE, Petitioner seeks from this Court an Order sealing all records, documents, and files in this matter which are presently in the custody of the Court, or a public or private company, agency or official in the State of Nevada, including but not limited to, the Washoe County Sheriff's Office, the Reno Police Department, the Reno City Attorney's Office, the State

1 of Nevada Criminal History Records Repository, the Federal Bureau of Investigations, and all  
2 other law enforcement agencies reasonably known by the Petitioner or the Court to have  
3 possession of such records.  
4

5 Petitioner also moves this Court to order sealed all records of this proceeding to seal  
6 criminal records, after a proper Return has been provided to the Court by the above-named law  
7 enforcement agencies or individuals.

8 **I declare under penalty of perjury that the foregoing is true and correct.**

9  
10 DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Signature of Petitioner

14  
15 Printed Name \_\_\_\_\_

16 Address \_\_\_\_\_

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18 Phone \_\_\_\_\_

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**EXHIBIT(S) TO PETITION TO SEAL RECORDS**

(Check any that apply)

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Current, verified Criminal History (or report of none) from the State of Nevada, Department of Public Safety, Criminal History Records Repository.

\_\_\_\_\_

Current, verified Criminal History (or report of none) from the

\_\_\_\_\_.

(Law Enforcement Agency that arrested Petitioner)

**IN THE MUNICIPAL COURT OF THE CITY OF RENO**  
**COUNTY OF WASHOE, STATE OF NEVADA**

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In the matter of: \_\_\_\_\_ Case No. \_\_\_\_\_  
\_\_\_\_\_, Dept. No. \_\_\_\_\_  
(Defendant's Name)

Date of birth: \_\_\_\_\_

Petitioner.  
\_\_\_\_\_ /

**STIPULATION TO SEAL RECORDS**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties herein, that the records of arrest, conviction, acquittal or dismissal, more specifically referred to in the Petition to Seal Records on file herein, may be sealed pursuant to NRS 179.245 and/or NRS 179.255.

IT IS FURTHER STIPULATED AND AGREED that no hearing is necessary in this matter, and that it may be submitted to the Court for a decision and Order.

IT IS FINALLY STIPULATED AND AGREED that all court records of this proceeding to seal records shall be removed from public access and sealed after all Returns have been filed with the Clerk of the Court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Reno City Attorney's Office  
P.O. Box 1900  
Reno, NV 89505

\_\_\_\_\_  
Petitioner  
Address \_\_\_\_\_  
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**IN THE MUNICIPAL COURT OF THE CITY OF RENO**  
**COUNTY OF WASHOE, STATE OF NEVADA**

In the matter of: \_\_\_\_\_ Case No. \_\_\_\_\_  
\_\_\_\_\_, Dept. No. \_\_\_\_\_  
(Defendant's Name)

Date of birth: \_\_\_\_\_

Petitioner.

\_\_\_\_\_/

**ORDER TO SEAL RECORDS**

**IT IS HEREBY ORDERED**, pursuant to NRS 179.245 and/or NRS 179.255 that all records, documents and files pertaining to this criminal case and its proceedings leading to the disposition of this case are hereby ordered to be sealed.

The Defendant, whose record is to be sealed, is identified as follows:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

DATE OF OFFENSE: \_\_\_\_\_

AGENCY: \_\_\_\_\_

AGENCY CASE NO.: \_\_\_\_\_

ORIGINAL CHARGE (s): \_\_\_\_\_

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DISPOSITION(s): \_\_\_\_\_  
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\_\_\_\_\_

**IT IS FURTHER ORDERED** that a copy of this Order shall be sent by Petitioner to each public or private company, agency, or official, including, but not limited to, the Reno Police Department, the Reno City Attorney’s Office, the Washoe County Sheriff’s Office, the State of Nevada Criminal History Records Repository, as well as other relevant agencies of the State of Nevada, directing each to seal all records, documents and files of this case and to report back to this Court, by filing a written Return thereof, indicating its compliance with this Order.

Pursuant to NRS 179.285, all proceedings recounted in the sealed records are deemed never to have occurred, and the Petitioner may properly answer accordingly to any inquiry concerning the sealed arrest, conviction, acquittal or dismissal and the events and proceedings related to the arrest, conviction, acquittal or dismissal.

**IT IS ALSO ORDERED** that all records of this proceeding to seal criminal records shall be removed from public access and sealed by this Court upon receipt of all the Returns served by the Petitioner in this matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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MUNICIPAL COURT JUDGE

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**IN THE MUNICIPAL COURT OF THE CITY OF RENO  
COUNTY OF WASHOE, STATE OF NEVADA**

In the matter of: \_\_\_\_\_ Case No. \_\_\_\_\_  
\_\_\_\_\_, Dept. No. \_\_\_\_\_  
(Defendant's Name)

Date of birth: \_\_\_\_\_

Petitioner.  
\_\_\_\_\_ /

**RETURN**  
(Order to Seal Records)

This office is in receipt of a copy of the Court's Order Sealing Records filed on the  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

All records maintained by this agency, and more specifically: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

have been so sealed.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Agency: \_\_\_\_\_

By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that on this date, I served a true and correct copy of the attached document to the following as set forth below:

Reno City Attorney's Office  
P.O. Box 1900  
Reno, Nevada 89505

\_\_\_\_\_ By placing said document in a sealed envelope and placed for collecting and mailing by United States mail in Reno, Nevada, postage prepaid following ordinary business practices.

\_\_\_\_\_ Personal Delivery

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Petitioner

Printed Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_



## To Obtain a Copy of Nevada Criminal History Records

The Nevada Criminal History Repository provides personal criminal history record information for the State of Nevada *only*. We cannot provide information for other states or the Federal Bureau of Investigation (FBI). In order to obtain your State of Nevada record, or proof that one does **not** exist, please follow the instructions below.

Who may request a copy of Nevada Criminal History Record Information (or proof that a record does **not** exist).

- Only the subject of the identification record can request a copy of his or her own Nevada Criminal History Record Information.

Please follow the instruction below on how to request a copy of Nevada Criminal History Record Information (or proof that a record does **not** exist).

1. Complete the Identification File Request for Nevada Records of Criminal History Form, DPS-006 (PID), found on page 3. Please note, if for a couple, family, etc., all persons must each complete the DPS-006 form in its entirety. In addition, you must include the complete mailing address where the response is to be sent.
2. Obtaining proof of identity, which consists of 1 fingerprint card (only an original card will be accepted, please do not submit copies or previously processed cards), with your name, date of birth (DOB) and place of birth (POB). Fingerprints should be placed on a standard fingerprint card (FD-258), commonly used for applicant or law enforcement purposes. Please note that the fingerprint card must contain all ten fingerprints taken simultaneously (these are sometimes referred to as plain or flat impressions) and your signature must be on the card. Please have your fingerprints taken by a certified fingerprinting technician.
3. Please include a \$23.50 (US dollars) in the form of a money order or certified check made out to the Department of Public Safety.
  - Please be sure to sign where required
  - No personal checks or cash will be accepted
  - Must be for the exact amount
  - If for a couple, family, etc., please include \$23.50 (US dollars) for each applicant.

4. Please staple all of the items indicated in #1, #2 and #3 (listed above) together and mail to the following address:

Department of Public Safety  
General Services Division  
Attn: Fingerprint Support Unit  
333 West Nye Lane, Suite 100  
Carson City, Nevada 89706

***Please Note:*** *If any of the above items are missing or incomplete, the request will be returned.*

*Please allow approximately **45 days** for processing, upon receipt by the Repository.*

5. What you will receive when the process is complete:
  - State Negative Record Response – a letter indicating that **no** State of Nevada Record was found.

**Or**

  - State Positive Record Response – a letter indicating that a State of Nevada Record **was** located, along with the complete content of that record.



Department of Public Safety  
General Services Division  
Attn: Fingerprint Support Unit  
333 West Nye Lane, Suite 100  
Carson City, Nevada 89706

IDENTIFICATION FILE REQUEST FOR  
STATE OF NEVADA RECORDS OF CRIMINAL HISTORY FORM

I hereby authorize the State of Nevada Criminal History Repository to disclose criminal history record information, if any, within my identification file to me or the person or entity indicated below:

Today's Date: \_\_\_\_\_

Please indicate the full name, address and contact information of the individual to be searched below (to be completed by the subject of the record).

First Name: \_\_\_\_\_

Middle Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City, State and Zip Code*

Contact Phone: \_\_\_\_\_ Contact Email: \_\_\_\_\_  
*(If available) (If available)*

\_\_\_\_\_  
*Signature of Subject of Record Search*

\_\_\_\_\_  
*Date of Birth*

Please indicate the complete response mailing information below:

Respond To: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City, State and Zip Code*

*Please indicate reason for request:* \_\_\_\_\_  
*(Optional)*

*The use of this form is intended to safeguard the rights of the signatory and ensure the confidentiality of the requested information against non-authorized disclosure. The fingerprint card accompanying this request will be used to verify identity. A \$23.50 certified check or money order made payable to the Department of Public Safety must accompany each request.*