

INFORMATION FOR SEALING CRIMINAL 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 or a record sealing company to assist you.

Individuals may alternatively file a petition for the sealing of records in the Second Judicial District Court if they desire to have more than one record sealed which would otherwise require them to file petitions in separate courts. The district court is authorized to order the sealing of records in justice and municipal courts.

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 above).

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

<http://www.washoecourts.com/index.cfm?page=library&td=main>

Law enforcement agencies that are in the jurisdiction of Reno Municipal Court who may have records related to your criminal case(s):

Nevada Capitol Police

Nevada Highway Patrol

Nevada Department of Public Safety Criminal Repository

Nevada Transportation Authority

Reno City Attorney

Reno Police Department

Reno Sparks Indian Colony Police Department

Reno Tahoe Airport Authority

Truckee Meadows Community College Police

University of Nevada Police Department

Union Pacific Railroad Police

Washoe County Sheriff's Office

Washoe County School District Police Department

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 misdemeanor convictions for battery, harassment, stalking or violation of temporary or extended order for protection against harassment or stalking.
 - (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. For all other misdemeanor convictions:
 - (a) After 1 year from the date of your release from custody or
 - (b) After 1 year from the date when you are no longer under a suspended sentence, whichever occurs later.
5. In order to seal misdemeanor convictions, you must not have a pending criminal charge or conviction of any offense (including active warrants), except for minor traffic violations, within the one, two or seven year windows described above. See NRS 179.245(4).

HOW TO OBTAIN YOUR CURRENT, VERIFIED CRIMINAL HISTORY

1. Before you can Petition the court to seal your records, you must obtain your current, verified criminal history. In order to obtain 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. You must attach your criminal history as an exhibit to your Petition to Seal Records.
2. Your criminal history can be obtained from the Central Repository for Nevada Records of Criminal History. Complete the Identification File Request for State of Nevada Records of Criminal History form (included in this packet) and mail to the address below. Include the original fingerprint card with your request and payment of \$23.50 (money order or certified check). Allow 45 days to get your criminal history in the mail.

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

HOW TO PETITION THE COURT TO SEAL YOUR RECORDS

1. Complete the attached Petition to Seal Records. The Petition must be signed by you under penalty of perjury. Complete and sign the Stipulation to Seal Records.
2. The following forms will be filed with the Reno Municipal Court as one complete packet. If any of these forms are not included, your Petition may not be accepted for filing at the Court.
 - a. Petition to Seal Records
 - b. Stipulation to Seal Records
 - c. Order to Seal Records
 - d. Return
 - e. Exhibit One - Your current, verified criminal history
 - f. Exhibit Two - A list of 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. Make two full photocopies of your Petition packet.

THE COURT PROCEEDINGS

1. File your original Petition packet and two photocopies with the Reno Municipal Court Clerk in person at 1 South Sierra Street, 1st Floor, Reno, Nevada or by mail at Reno Municipal Court Clerk at P.O. Box 1900, Reno, Nevada 89505. If mailed, include a self-addressed envelope for the clerk to return a file-stamped copy to you. There is a \$100 filing fee that must be paid in order to file the Petition to Seal Records.
2. Your Petition will be scheduled for a hearing to be held at least 60 days after the filing date. The Court will notify the Reno City Attorney's Office and the arresting/charging law enforcement agency listed in your Petition of the hearing date.
3. The Court will send the Petition and Stipulation (agreement) to the Reno City Attorney. If the City Attorney signs the Stipulation, you may not have to attend the hearing. The Court will notify you if the Stipulation has been signed and whether the hearing will take place or be vacated. If the City Attorney does not sign the Stipulation, you must attend the hearing and present evidence to the Court that you qualify for your records to be sealed. It's important to note that while you and the City Attorney may stipulate (agree) to the sealing of your criminal record, the Court still retains the discretion to hold a hearing and/or deny your petition. If you fail to appear for the hearing, the judge can dismiss your Petition.
4. If your Petition to Seal Records is granted, the Court will mail the Order to Seal Records to each of the law enforcement agencies you have listed in your Petition. These agencies will notify the Court when your record has been sealed by way of the Return. You will also receive a copy of the Order to Seal Records in the mail.

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.

5. 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.

1 Case No. _____

2 Dept. No. _____

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

5 In the matter of:

6 _____,
7 (Defendant's Name)

8 Date of birth: _____

9
10 **Petitioner.**
11 _____/

12 **PETITION TO SEAL RECORDS**

13
14 COMES NOW, the above-named Petitioner, and pursuant to the provisions of NRS
15 179.245 and/or NRS 179.255, petitions the Court to seal criminal records. Petitioner was
16 arrested /or charged on _____ by the _____
17 Date Law Enforcement Agency
18 with the crime of _____.

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

23 This Petition is being accompanied by the current, verified record of this Petitioner's
24 criminal history, attached as an Exhibit hereto.

25 WHEREFORE, Petitioner seeks from this Court an Order sealing all records, documents,
26 and files in this matter which are presently in the custody of the Court, or a public or private
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company, agency or official in the State of Nevada, reasonably known by the Petitioner or the Court to have possession of such records.

Petitioner also moves this Court to order sealed all records of this proceeding to seal criminal records by the law enforcement agencies or individuals listed in the attached Exhibit.

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

DATED this _____ day of _____, _____.

Signature of Petitioner

Printed Name _____

Address _____

Phone _____

Email _____

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EXHIBITS TO PETITION TO SEAL RECORDS

Exhibit One

___ Current, verified criminal history from the State of Nevada, Department of Public Safety, Criminal History Records Repository

Exhibit Two

Law enforcement agencies reasonably known by the Petitioner to have possession of such records, documents and files related to this Petition (Check all that apply):

- ___ Nevada Capitol Police
- ___ Nevada Department of Motor Vehicles
- ___ Nevada Highway Patrol
- ___ Nevada Transportation Authority
- ___ Reno City Attorney
- ___ Reno Municipal Court
- ___ Reno Police Department
- ___ Reno Sparks Indian Colony Police Department
- ___ Reno Tahoe Airport Authority
- ___ State of Nevada Department of Public Safety, Criminal History Repository
- ___ Truckee Meadows Community College Police
- ___ University of Nevada Police Department
- ___ Union Pacific Railroad Police
- ___ Washoe County Sheriff's Office
- ___ Washoe County School District Police Department

1 Case No. _____

2 Dept. No. _____

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

5 In the matter of:

6 _____,
7 (Defendant's Name)

8 Date of birth: _____

9
10 _____ /
11 Petitioner.

12 **STIPULATION TO SEAL RECORDS**

13 IT IS HEREBY STIPULATED AND AGREED, by and between the parties herein, that
14 the records of arrest, conviction, acquittal or dismissal, more specifically referred to in the
15 Petition to Seal Records on file herein, may be sealed pursuant to NRS 179.245 and/or NRS
16 179.255.

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

19 IT IS FINALLY STIPULATED AND AGREED that all court records of this proceeding
20 to seal records shall be removed from public access and sealed.
21

22 DATED this _____ day of _____, _____.

23
24 _____
25 Reno City Attorney's Office
26 P.O. Box 1900
27 Reno, NV 89505

24 _____
25 Petitioner
26 Address _____
27 _____
28 Phone _____
Email _____

1 Case No. _____

2 Dept. No. _____

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

5 In the matter of:

6 _____,
7 (Defendant's Name)

8 Date of birth: _____

9
10 _____ Petitioner.
11 _____/

12 **ORDER TO SEAL RECORDS**

13 **IT IS HEREBY ORDERED**, pursuant to NRS 179.245 and/or NRS 179.255 that all
14 records, documents and files pertaining to this criminal case and its proceedings leading to the
15 disposition of this case are hereby ordered to be sealed.
16

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

18 NAME: _____

19 ADDRESS: _____

20 _____

21 PHONE: _____

22 DATE OF BIRTH: _____

23 DATE OF OFFENSE: _____

24 AGENCY: _____

25 AGENCY CASE NO.: _____

26 ORIGINAL CHARGE (s): _____

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DISPOSITION(s): _____

The Court shall send a copy of this Order to each public or private company, agency, or official as listed in Petition, 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.

DATED this _____ day of _____, _____.

MUNICIPAL COURT JUDGE

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Case No. _____

Dept. No. _____

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

In the matter of:

_____,
(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: _____



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), complete with name, date of birth (DOB), place of birth (POB), sex, race, height, weight, hair color, and eye color. 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. Fingerprints must be taken, dated, and signed 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: _

*MANDATORY FIELDS

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: _____

**Signature of Subject of Record Search*

**Date of Birth*

Please ensure mailing address is valid and accurate. **Due to confidential nature of this response, mail cannot be forwarded.** If a change of address is needed a new DPS006 Form will need to be submitted..

*Respond To: _____

*Mailing Address: _____
Street Address

City, State and Zip Code

Please indicate reason for request: _____
(Optional)

To obtain a duplicate response, the request must be within 90 days from the original date processed.

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.