

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:

<https://www.washoecourts.com>

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 Gaming Control Board

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 (money order or certified check). Allow approximately 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 and Stipulation. Orders may be drafted by private attorneys or record sealing companies; however, the Court will provide the final Order for any unrepresented petitioner. The Petition must be signed by you under penalty of perjury.
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 (not applicable to unrepresented petitioners)
 - 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. One list per case petitioned to be sealed.
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. A petitioner is exempt if, at the time that the crime for which the records to be sealed was committed, the petitioner was being sex-trafficked pursuant to NRS 201.300.
3. 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.
4. 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.
5. 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 unless other arrangements are made. 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.

6. 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 **Petitioner.**
10 _____/

11 **PETITION TO SEAL RECORDS**

12
13 COMES NOW, the above-named Petitioner, and pursuant to the provisions of NRS
14 179.245 and/or NRS 179.255, petitions the Court to seal criminal records.

15 The Petitioner was arrested /or charged as follows:

16
17 1.) Case number: _____
18 Date of Arrest: _____
19 Charge: _____
20 Arresting Agency: _____
21 Disposition Date: _____
22 Final Disposition: _____

23 2.) Case number: _____
24 Date of Arrest: _____
25 Charge: _____
26 Arresting Agency: _____
27 Disposition Date: _____
28 Final Disposition: _____

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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

EXHIBITS TO PETITION TO SEAL RECORDS

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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):

1.) Relating to case number: _____

- ___ 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

2.) Relating to case number: _____

- ___ 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

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- ___ University of Nevada Police Department
- ___ Union Pacific Railroad Police ___ Washoe County Sheriff's Office
- ___ Washoe County School District Police Department
- 3.) Relating to case number: _____
- ___ 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

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EXHIBITS TO PETITION TO SEAL RECORDS

Exhibit Three

_____ If applicable, a statement from the petitioner certifying that at the time the crime for which the records to be sealed was committed, the petitioner was being sex trafficked pursuant to NRS. 201.300

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 **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 of case(s) _____,
15 _____, _____ more specifically referred to in the Petition to Seal
16 Records on file herein, may be sealed pursuant to NRS 179.245 and/or NRS 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 _____
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28 Phone _____
Email _____

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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: _____