

ASHTABULA MUNICIPAL COURT
110 W. 44TH STREET
ASHTABULA, OH 44004

LAURA DIGIACOMO, JUDGE

INFORMATION ON EXPUNGEMENT

PLEASE READ BEFORE FILING AN EXPUNGEMENT

The attached form is used to request an expungement of a conviction and/or charge, which occurred in this Court. Once you file your expungement request, a background check will be conducted by the Court Probation Department. When the check is completed, the matter will be set for an oral hearing and the Court will notify you of the hearing date.

Please be advised of the following before you file your request:

- Attached to this packet is a list of charges, which are not expungeable by law. Please consult with an attorney before filing if you have been convicted or plead to one of these charges.
- That there are issues other than prior record, which may prevent the Court from granting an expungement. Again, please consult with an attorney if you have any questions regarding this issue.
- The fee to file the expungement is NON REFUNDABLE \$75.00.
- Even if the expungement is granted, please be aware some agencies or professions may have access to the information (i.e. Federal government; nursing, health care, teaching – this is not an exhaustive list). If you think this may be an issue, it is strongly suggested that you contact the state board which deals with your profession.
- Traffic cases cannot be expunged for ANY reason.
- The one year time period does not begin until any and all probation time has been completed and/or terminated.

#2
OFFENSES OF VIOLENCE
2901.01(A)(9)

Aggravated murder (2903.01)	Murder (2903.02)
Voluntary manslaughter (2903.03)	Involuntary manslaughter (2903.04)
Felonious assault (2903.11)	Aggravated assault (2903.12)
Assault (2903.13)	Permitting child abuse (2903.15)
Aggravated menacing (2903.21)	Menacing by stalking (2903.211)
Menacing (2903.22)	Kidnapping (2905.01)
Abduction (2905.02)	Extortion (2905.11)
Rape (2907.02)	Sexual battery (2907.03)
Gross sexual imposition (2907.05)	Aggravated arson (2909.02)
Arson (2909.03)	Terrorism (2909.24)
Aggravated robbery (2911.01)	Robbery (2911.02)
Aggravated burglary 2911.11	Burglary (2911.12)(A)1,2, or 3
Inciting to violence (2917.01)	Aggravated riot (2917.02)
Riot (2907.03)	Inducing panic (2917.31)
Endangering Children (2919.22)(B)1-4	Domestic violence (2919.25)
Intimidation (2921.03)	Intimidation of attorney, victim or witness in criminal case (2921.04)
Escape (2921.34)	Improperly discharging firearm at or into habitation or school (2923.161)

Felonious sexual penetration in violation of former 2907.12

(d) any conspiracy or attempt to commit any of the above; complicity to commit any of the above

Pursuant to R.C.2953.36(C) the following offenses of violence may be expunged:

M1 Riot (2917.03)	M1 Inciting to Violence (2917.01)
M1 Assault (2903.13)	M1 Inducing Panic (2917.31)

SB 337

- **Redefines who is an eligible offender for purposes of sealing (expungement) of records.**
 - Bill replaces "first offender" with "eligible offender"
 - "Eligible offender" is defined as a person who has been convicted of an offense in this state or any other jurisdiction and who has:
 - Not more than one felony conviction
 - Not more than two misdemeanor convictions, if the convictions are not of the same offense
 - Not more than one felony conviction and one misdemeanor conviction

IN THE ASHTABULA MUNICIPAL COURT
ASHTABULA, OHIO

**APPLICATION FOR EXPUNGMENT AND/OR SEALING
OF RECORD**

STATE OF OHIO

CASE NUMBER:

V.

DATE:

JUDGE LAURA DIGIACOMO

NAME:

ADDRESS:

CITY:

STATE:

ZIP:

TELEPHONE NO:

DOB:

SSN:

Now comes _____ and applies to the
Court for Expungment and Sealing of all official records of Case Number
_____. In the Ashtabula Municipal Court, Ashtabula, Ohio, as
provided in section 2953.32 of the Ohio Revised Code. The nature of the
offense was _____ and the date of the conviction was
_____.

APPLICANT

MEMORANDUM

The applicant qualifies as a "first offender" as defined in 2953.31, ORC, and the applicant meets all of the requirements as provided in 2953.32, ORC. The applicant deposits herewith the sum of \$75.00 (Seventy Five Dollars) as provided in 2953.32 (O) or submits an affidavit of indigence as provided in 1901.26(B).

PROOF OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE WITHIN APPLICATION WAS
SERVED UPON THE CITY PROSECUTOR THIS _____ DAY OF _____, 20____.

APPLICANT