

IN THE CIRCUIT COURT OF THE 99th JUDICIAL CIRCUIT
ANY COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS)
)
vs.)
)
JAMES DOE)
Defendant/Petitioner)

CASE NO. 00-CF-0000

ORDER TO SEAL FELONY DRUG CONVICTION AND/OR FIRST OFFENDER DRUG PROBATION

Charge: <u>POSSESSION OF CANNABIS</u>	Date of Arrest: <u>01/01/2000</u>
Arresting Authority: <u>ANYTOWN POLICE DEPARTMENT</u>	
Date of Birth: <u>02/02/72</u> Sex: <u>M</u> Race: <u>WHITE</u> ID# <u>_____</u>	

THIS CAUSE comes before the Court on the Defendant/Petitioner's Petition to Seal Felony Drug Conviction and/or First Offender Drug Probation. The Court being fully advised,

FINDS:

1. Defendant/Petitioner was arrested by the Arresting Authority on the date stated above, or if no arrest was made, Defendant/Petitioner was charged on the date stated above, and was later convicted of or placed on First Offender Probation for the offense(s) stated above.
2. Defendant/Petitioner was convicted or placed on First Offender Probation on 07/01/2001
3. Defendant/Petitioner completed his/her sentence on 07/01/2003.
4. If required, the Defendant/Petitioner has complied with the drug testing requirement found in 20 ILCS 2630/5.2(d)(3).
5. At least 4 years have elapsed since the termination of Defendant/Petitioner's last sentence for any criminal offense.
6. Defendant/Petitioner has paid all costs and fees for filing this Petition, or has been granted a fee waiver by the Court.

7. The Circuit Clerk has served notice on the Arresting Authority, the Department of the State Police, the State's Attorney or prosecutor charged with prosecuting the case and the Chief Legal Officer of the unit of local government affecting the arrest and:

- none of said agencies has filed an objection to the Petition within 60 days from the date of service; OR
- this Court, having heard evidence in the matter, finds that the records should be sealed.

IT IS THEREFORE ORDERED as follows:

A. That the Petition to Seal the Defendant/Petitioner's arrest and/or conviction record is **GRANTED**, and the official records be **SEALED** as follows:

1. The Clerk of the Circuit Court, the Arresting Agency, and the Department of State Police **SHALL SEAL** all records of the Petitioner relating to the above-referenced arrest and/or conviction(s) until further order of court, and the Clerk of the Circuit Court shall obliterate the Petitioner's name from the official index required to be kept by the Circuit Court Clerk under Section 16 of the Clerks of Courts Act.

2. The Arresting Agency and the Department of State Police shall request the return of any other law enforcement records relating to the incident set forth in the Petition which have been transferred to the Federal Bureau of Investigation or any other law enforcement agency as a result of said arrest and **SHALL SEAL** said records upon their return.

B. That any arrest and/or conviction records **SEALED** are subject to inspection and use by the court for the purposes of subsequent sentencing for misdemeanor and felony violations and inspection and use by law enforcement agencies, the Department of Corrections, and State's Attorneys and other prosecutors in carrying out the duties of their offices. Upon conviction for any offense, the Department of Corrections shall have access to such sealed records pertaining to Defendant/Petitioner.

C. That in response to an inquiry for such records from anyone not authorized by law to access such records, the entity receiving such inquiry shall reply as it does when no records ever existed.

ENTERED _____, 20____.

JUDGE