

**Petition to Expunge Records**

Person Filing: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

*In Propria Persona*

IN THE \_\_\_\_\_ COURT OF ARIZONA FOR \_\_\_\_\_ COUNTY

<p><b>State of Arizona</b></p> <p><b>Plaintiff</b></p> <p>vs.</p> <p>_____</p> <p><b>Defendant (FIRST, MI, LAST)</b></p> <p><b>Date of Birth:</b> _____</p>
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<p><b>Case Number:</b></p>
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<p><b>Petition to Expunge Marijuana-Related Offense Records Pursuant to ARS § 36-2862</b></p>
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The above-named Petitioner, pursuant to ARS § 36-2862, hereby requests that the Court order expungement of Petitioner’s criminal history records. As grounds for this petition, Petitioner states as follows:

**A. REQUIRED INFORMATION**

1. **Eligible Charge.** I hereby request that the law enforcement and court records for the following offense, eligible under ARS § 36-2862, be expunged (*choose from the following; if you had more than one eligible offense under more than one case number, file a separate petition for each offense*):

Possessing, consuming, or transporting two and one-half ounces or less of marijuana, of which not more than twelve and one-half grams was in the form of marijuana concentrate.

Possessing, transporting, cultivating, or processing not more than six marijuana plants at my primary residence for personal use.

Possessing, using, or transporting paraphernalia related to the cultivation, manufacture, processing, or consumption of marijuana.

2. Name of citing or arresting law enforcement agency: \_\_\_\_\_.

3. Court case number: \_\_\_\_\_.

4. The name I used at the time of arrest was (*if different*): \_\_\_\_\_.

**B. ADDITIONAL INFORMATION RELATED TO ELIGIBLE CHARGE(S):**  
(complete all fields known to you)

1. I was arrested on [insert date]\_\_\_\_\_.
2. Name of prosecuting agency:\_\_\_\_\_.
3. One or more non-eligible charges were filed against me in this same case  
 Yes  No.
4. I was convicted of the eligible offense(s)  Yes  No. If Yes, insert date of conviction here:\_\_\_\_\_.
5. My case was dismissed on the eligible charge(s)  Yes  No. If Yes, insert date of dismissal here:\_\_\_\_\_.
6. There is an outstanding arrest warrant in this case  Yes  No.
7. There is an active payment plan in this case  Yes  No.

**C. SUPPORTING DOCUMENTATION**

Attached is documentation that supports my petition (*The court may find it helpful to have documents that support your request for expungement, for example, the complaint against you, judgment and sentencing order, payment plan, or any other official document showing a superior court case number, crime lab report showing weight of marijuana seized; or DPS or FBI case extract. However, you are not required to provide any supporting documents*)

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**D. HEARING REQUEST**

I understand that I can request a hearing on my petition, but the court may choose to proceed without a hearing. I hereby request a hearing  Yes  No.

**E. FEE WAIVER**

I hereby request, pursuant to ARS § 12-302 (L)<sup>1</sup>, that the Court waive any fee that may be requested by the Department of Public Safety under ARS § 36-2862(C)(2). Attached is documentation that supports such request. (The court may find it helpful to have documents that support your request relating to indigency, for example, housing voucher, wage statements, SSI award summary, etc. However, you are not required to provide any supporting documents.)

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<sup>1</sup>“This section does not limit the court's discretion in deferring, waiving or ordering the county to pay any fees and costs as may be necessary and appropriate.” ARS § 12-302 (L); *see also* AZ ST Code of Jud. Admin § 5-206 (P) (“**Judicial Discretion.** As provided in A.R.S. § 12-302(L), ‘this section does not limit the court's discretion in deferring, waiving or ordering the county to pay any fees and costs as may be necessary and appropriate.’ Examples of other necessary and appropriate fees include: multiple subpoenas or summonses, local law enforcement service of process fees, costs of a bond on appeal, and cost of a certified copy of child support history.”)

**F. DECLARATIONS AND ACKNOWLEDGEMENTS**

**I declare under penalty of perjury that the information I have provided in this petition and any attachments is true and correct to the best of my knowledge.**

**I understand that this petition may be dismissed if the information I have provided is insufficient. I also understand that this petition may be denied if information in this petition is found to be inaccurate.**

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*(Petitioner's Signature)*

*(Date)*