

FIRST JUDICIAL DISTRICT COURT

SEALING OF RECORDS

INFORMATIONAL PACKET

(REVISED FEBRUARY 2019)



CONTENTS

INTRODUCTION	1
INSTRUCTIONS FOR RECORD SEALING REQUEST	2
DISTRICT ATTORNEY REVIEW	4
DENIAL PROCESS	5
FREQUENTLY CALLED NUMBERS	7
SAMPLE FORMS	8
STIPULATION TO SEAL RECORDS	9
PETITION TO SEAL RECORDS	10
CERTIFICATE OF SERVICE.....	11
SAMPLE OF CRIMINAL HISTORY	12
ORDER TO SEAL RECORDS	13
AFFIRMATION.....	15
FORMS	16
CIVIL COVER SHEET.....	17
STIPULATION TO SEAL RECORDS	18
PETITION TO SEAL RECORDS	19
CERTIFICATE OF SERVICE.....	20
ORDER TO SEAL RECORDS	21
AFFIRMATION.....	23
STATUTORY REQUIREMENTS.....	Appendix

NOTICE

THIS BOOKLET CONTAINS PROCEDURAL INFORMATION RELATING TO THE PROCESSING OF PETITIONS TO SEAL RECORDS. NO SECTION OF THIS BOOKLET SHOULD BE CONSTRUED AS PROVIDING LEGAL ADVICE. RECORD SEALING IS A HIGHLY SENSITIVE AREA. YOU ARE ENCOURAGED TO CONSULT WITH PRIVATE LEGAL COUNSEL.

INTRODUCTION

Nevada Revised Statutes provides that an individual may request a court seal records of arrest, criminal conviction, acquittal, or dismissal.

One complete record sealing packet must be submitted. If you have more than one case, in more than one court, both cases can be listed in one packet. Incomplete packets may be cause for denial of a request to seal records.

A current certified copy of **petitioner's criminal history must accompany the Petition to Seal Records**. You will need to be fingerprinted to obtain a copy of your criminal history. You can be fingerprinted at the Carson City Sheriff's Office or at the Department of Public Safety, Records and Technology Division. The Sheriff's Office will charge a fee per print card, and only accepts cash.

Carson City Sheriff's Office
901 E. Musser Street
Carson City, Nevada 89701
(775)887-2020

Department of Public Safety
Records and Technology
333 West Nye Lane, Suite 100
Carson City, Nevada 89706
(775)684-6262

INSTRUCTIONS FOR RECORD SEALING REQUEST

1. You must submit your fingerprint card to the State of Nevada Department of Public Safety, Records and Technology Division to request a copy of your **criminal history**.

2. You must obtain a **criminal record letter** from the Carson City Sheriff's Office.

3. Locate the appropriate case numbers for the case you are sealing. You will need both the case number of the arresting agency **and** the court case number. These numbers may be on the documents you received from the court during the court proceedings. The Petition and Order must include a list of all agencies reasonably known to the petitioner to have possession of records to be sealed. The Carson City Sheriff's Office, the Carson City District Attorney's Office and the Criminal History Repository are always listed in the Petition and Order as agencies to seal records.

4. **Preparation of Forms:**

There are three (3) legal documents that you must prepare: Stipulation, Petition and an Order. These documents should be submitted to the District Attorney's Office along with all required attachments, including both documents containing criminal history information as set forth above. A sample of each of the three documents can be found in this packet along with blank documents for your use.

The Petition and Order should specifically list the following information for **each court case:**

Date of Arrest:

Arresting Agency Name and Case Number:

Charge:

Court Case Number:

Final Disposition:

PCN#: (see sample document to locate this number)

The Petition and Order must list the agencies to seal records, and to whom certified copies of the Order will be directed. (ie: law enforcement agencies, justice/municipal/district court(s), city and/or county prosecuting agencies).

5. Submission of Forms

After the three legal documents are completed and signed by the applicant, the following should be submitted to the District Attorney's Office:

1. Original and one copy of the Stipulation.
2. Original and one copy of the Petition.
3. Original and one copy of the Order.
4. Criminal history letter from the Carson City Sheriff's Office.
5. Certified copy of criminal history from the Department of Public Safety, Records and Technology Division.
6. For gross misdemeanor or felony convictions, a Judgment of Conviction and Probation Discharge Order can be obtained from the Clerk of the First Judicial District Court.

DISTRICT ATTORNEY REVIEW

1. The District Attorney's Office will notify you when your documents are ready for pick up. You can email the District Attorney's Office at CCDAInfo@carson.org. Please allow 4-6 weeks for processing.
2. After the Stipulation has been signed by the District Attorney's Office, take the originals and necessary copies of the Stipulation, Petition (with attachments) and Order to the District Court Clerk's Office and pay the filing fee.
3. The Clerk will retain your paperwork and submit your Order to the Judge for review and signature. At that time you should ask the Clerk for as many certified copies of the signed Order as you will need for distribution to the law enforcement agencies, courts, and prosecuting officials involved in the sealing of records that you have listed in the Petition and Order. A certified copy of the Order should also be retained for your records. There is a fee for certified copies.
4. It is your responsibility to serve a certified copy of the signed Order to each agency listed in the Order. It is important that you include all agencies involved in your case to ensure your record is appropriately sealed.

DENIAL PROCESS

If you are notified by the District Attorney's Office that the Stipulation will not be signed by the District Attorney's Office, your documents will be returned to you and you may file your Petition directly with the court:

1. The District Attorney will return your documents to you.
2. Submit your Petition and Order to the Carson City District Court with appropriate filing fee. You must submit the original and two copies of the Petition and Order to the court. Once you have filed the Petition, the court will return one copy to you. One copy must be served on the District Attorney's Office and the other copy is for your records. You must complete the Certificate of Service located at the back of the Petition.
3. When submitting your documents, ask the Clerk for as many certified copies of the signed Order as needed for distribution to the law enforcement agencies, courts and prosecuting officials involved in the sealing of records as specifically named in the Petition and Order. A certified copy of the Order should also be retained for your records. There is a fee for certified copies.
4. The District Attorney's Office will review your Petition and either:
 - a. File an Objection to the Petition and mail a copy to you, or
 - b. File a Notice of Non-Opposition to the Petition and mail a copy to you.
5. Upon receipt of the Objection or Non-Opposition from the District Attorney's Office, the Judge will determine if a hearing is necessary and notify you of the date.

6. If the Judge signs the Order Sealing Records it is your responsibility to serve a certified copy of the Order to each of the agencies listed in the Petition and Order and any other agencies in possession of the criminal records.

FREQUENTLY CALLED NUMBERS

Carson City District Attorney's Office	(775)887-2072
885 E. Musser Street, Suite 2030a	
Carson City, Nevada 89701	
Carson City District Court	(775)887-2082
885 E. Musser Street, Suite 3031	
Carson City, Nevada 89701	
Carson City Sheriff's Office	(775)887-2500
911 E. Musser Street	
Carson City, Nevada 89701	
Department of Public Safety	(775)684-6262
Records and Technology Division (Criminal Records Repository)	
333 West Nye Lane, Suite 100	
Carson City, Nevada 89706	

SAMPLE FORMS

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3
4 In the Matter of the Application of)

5 Jane Doe,)

) Case No.: 15 CR ##### 1B

) Dept. No.: #

6) **STIPULATION TO SEAL RECORDS**

7)
8 For an Order to Seal Records)

9 **IT IS HEREBY STIPULATED AND AGREED** by and between

10 Jane Doe, Petitioner, represented by

11 Attorney Name (name of attorney if, applicable) and

12
13 Jason D. Woodbury, District Attorney for Carson City, Nevada, that the records of arrest,

14 conviction, acquittal, or dismissal, pertaining to criminal case number 15 CR ##### 1B

15 more specifically referred to in the Petition to Seal Records on file herein, be sealed pursuant to
16 NRS 179.245 and/or 179.255 (add 453.3365 if Substance Abuse Treatment).
17

18 **IT IS FURTHER STIPULATED AND AGREED** that no hearing is necessary in this
19 matter, and that it may be submitted to the court for a decision.
20

21 DATED this Day day of Month, 20 Year.

22
23 Your Signature
Petitioner's Signature

24 JASON D. WOODBURY
DISTRICT ATTORNEY

25 By _____

Dated _____

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3 In the Matter of the Application of)
4 Jane Doe,) Case No.: 15 CR ##### 1B
5) Dept. No.: 1
6) **PETITION TO SEAL RECORDS**
7 For an Order to Seal Records))

8 COMES NOW Jane Doe,

9 Petitioner, represented by Attorney Name (name of
10 attorney if, applicable), pursuant to the provisions of NRS 179.245 and/or 179.255 (add
11 453.3365 if Substance Abuse Treatment) and respectfully represents the following:

12 That the Petitioner has been arrested as follows:

13 Date of Arrest: MM/DD/YEAR
14 Arresting Agency & #: Agency Name
15 Charge: Example - PETIT LARCENY
16 Court Case #: 15 CR ##### 1B
17 Final Disposition: Example - GUILTY
18 PCN#: NVCCSO#####C (SEE ATTACHED EXAMPLE)

19 that the statutory time period has been fulfilled concerning any arrests resulting in conviction,
20 and that Petitioner has no pending charges or subsequent convictions other than minor traffic
21 violations, and that further action will not be brought concerning any arrests resulting in
22 dismissal or acquittal.

23 WHEREFORE, Petitioner prays for an Order sealing all records of this matter which are
24 presently in the custody of this Court, of another court in the State of Nevada or of a public or
25 private agency, company or official of the State of Nevada, including but not limited to the
County Sheriff, the State of Nevada Criminal History Records Repository, the Federal Bureau of
Investigation, and all other law enforcement agencies reasonably known by either the Petitioner
or the Court to have possession of such records.

DATED this Day day of Month, 20 Year.

Your Signature
Attorney/Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this this Day day of Month, 20 Year, I served the foregoing PETITION TO SEAL RECORDS by hand delivering or mailing a true and correct copy thereof to the addressed as follows:

Carson City District Attorney
885 E Musser Street, suite 2030
Carson City NV 89701

Your Signature
Signature

SAMPLE

CRIMINAL HISTORY RECORD PCN/[REDACTED] ←
FINGERPRINT BASED RECORD

ARREST DATE: 09/03/2007 AGENCY: CARSON CITY SHERIFFS OFFICE
NAME USED: [REDACTED]

CHARGE 1: DUI 1ST OFFENSE MISDEMEANOR
CARSON CITY COUNTY 10.22.020
NO DISPOSITION RECORD ON FILE

ARRESTED: CARSON CITY SHERIFFS OFFICE ORI: [REDACTED]
LOCAL NUMBER: [REDACTED]
BOOKED: CARSON CITY SHERIFF'S DEPT ORI: [REDACTED]
PHOTOGRAPH AVAILABLE
RECORD CREATED: 09/04/2007 19:12:52 LAST UPDATED: 09/04/2007 19:13:22
***** END OF CRIMINAL HISTORY RECORD *****

CRIMINAL HISTORY RECORD PCN/[REDACTED]
FINGERPRINT BASED RECORD

ARREST DATE: 01/16/2007 AGENCY: CARSON CITY SHERIFFS OFFICE
NAME USED: [REDACTED]

CHARGE 1: TRAFFICKING CON SUB SCH 1 4 TO 13 GRAMS FELONY
NEVADA STATUTE NRS 453.3385
NO DISPOSITION RECORD ON FILE

CHARGE 2: POSS CON SUB FOR SALE SCH 1 2 1ST OFFENSE FELONY
NEVADA STATUTE NRS 453.337
NO DISPOSITION RECORD ON FILE

ARRESTED: CARSON CITY SHERIFFS OFFICE ORI: [REDACTED]
LOCAL NUMBER: [REDACTED]

[REDACTED]

[REDACTED]

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3 In the Matter of the Application of)
4 Jane Doe,)

) Case No.: 15 CR ##### 1B
) Dept. No.: #

) **ORDER TO SEAL RECORDS**
)
)
)

7 For an Order to Seal Records)
8 _____)

9 Pursuant to the Petition of Jane Doe,

10 Petitioner, represented by Attorney Name (name of
11 _____

12 attorney if, applicable) and Jason D. Woodbury, District Attorney for Carson City, Nevada, the
13 Court finding that the statutory requirements of NRS 179.245 and/or 179,255 (add 453.3365 if
14 Substance Abuse Treatment) are satisfied, and good cause appearing, therefore

15 **IT IS HEREBY ORDERED** that the following records of arrest be sealed:

16 Date of Arrest: MM/DD/YEAR
17 Arresting Agency & #: Agency Name
18 Charge: Example - PETIT LARCENY
19 Court Case #: 15 CR ##### 1B
20 Final Disposition: Example - GUILTY
21 PCN#: NVCCSO#####C (SEE ATTACHED EXAMPLE)

22 A copy of this Order shall be sent by Petitioner to each public or private company,
23 agency or other official named herein, including, but not limited to the County Sheriff, the State
24 of Nevada Criminal History Records Repository, the Federal Bureau of Investigation, and all
25 other law enforcement agencies reasonably known by either the Petitioner or the Court to have
possession of such records. The person or agency so notified shall seal the records in his or her

1
2 custody that relate to the matters contained in this order shall advise the Court of his or her
3 compliance, and shall then seal the order.

4 All proceedings recounted in the sealed records are deemed never to have occurred, and
5 petitioner may properly answer accordingly to any inquiry concerning the sealed arrest,
6 conviction or acquittal.

7 DATED this Day day of Month, 20 Year.

8
9
10 _____
11 DISTRICT JUDGE
12
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21
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25

1 (Your name or firm) Jane Doe

2 (Address) Street Name

3 City, State, Zip

4 (Telephone) (area code) ###-####

5
6 **In The First Judicial District Court of the State of Nevada**
7 **In and for Carson City**

8
9 In the Matter of the Application of

10 Jane Doe,

11 Petitioner's Name

Case No. 15 CR ##### 1B

12 For an Order to Seal Records

13 **AFFIRMATION**
14 **Pursuant to NRS 239B.030/603A.040**
15 **(Initial Appearance)**

16 The undersigned does hereby affirm that upon the filing of additional documents in the above
17 matter, an Affirmation will be provided **ONLY** if the document contains a social security
18 number (NRS 239B.030) or "personal information" (NRS 603A.040), which means a natural
19 person's first name or first initial and last name in combination with any one or more of the
20 following data elements:

- 21
- 19 1. Social Security number.
 - 20 2. Driver's license number or identification card number.
 - 21 3. Account number, credit card number or debit card number, in combination with any
22 required security code, access code or password that would permit access to the
23 person's financial account.

22 The term does not include publicly available information that is lawfully made available to the
23 general public.

24 (Your signature) Your Signature (Date) MM/DD/YEAR

25 The purpose of this initial affirmation is to ensure that each person who initiates a case, or upon
first appearing in a case, acknowledges their understanding that no further affirmations are
necessary unless a pleading which is filed contains personal information.

FORMS

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No. _____
(Assigned by Clerk's Office)

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): 	Defendant(s) (name/address/phone):
Attorney (name/address/phone): 	Attorney (name/address/phone):

II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

<p style="text-align: center;">Real Property</p> <p>Landlord/Tenant</p> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <p>Title to Property</p> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <p>Other Real Property</p> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<p style="text-align: center;">Negligence</p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <p style="text-align: center;">Malpractice</p> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<p style="text-align: center;">Torts</p> <p>Other Torts</p> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<p style="text-align: center;">Probate</p> <p>Probate <i>(select case type and estate value)</i></p> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside () Surviving Spouse <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <p>Estate Value</p> <input type="checkbox"/> Greater than \$300,000 <input type="checkbox"/> \$200,000-\$300,000 <input type="checkbox"/> \$100,001-\$199,999 <input type="checkbox"/> \$25,001-\$100,000 <input type="checkbox"/> \$20,001-\$25,000 <input type="checkbox"/> \$2,501-20,000 <input type="checkbox"/> \$2,500 or less	<p style="text-align: center;">Construction Defect & Contract</p> <p>Construction Defect</p> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <p style="text-align: center;">Contract Case</p> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<p style="text-align: center;">Judicial Review/Appeal</p> <p>Judicial Review</p> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <p style="text-align: center;">Nevada State Agency Appeal</p> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <p style="text-align: center;">Appeal Other</p> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<p style="text-align: center;">Civil Writ</p> <p>Civil Writ</p> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant		<p style="text-align: center;">Other Civil Filing</p> <p>Other Civil Filing</p> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

Date _____

Signature of initiating party or representative _____

See other side for family-related case filings.

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3
4 In the Matter of the Application of)
5 Petitioner's Name,) Case No.:
6) Dept. No.:
7) **STIPULATION TO SEAL RECORDS**
8 For an Order to Seal Records)

9 **IT IS HEREBY STIPULATED AND AGREED** by and between

10 _____, Petitioner, represented by
11 _____ (name of attorney if, applicable) and
12 Jason D. Woodbury, District Attorney for Carson City, Nevada, that the records of arrest,
13 conviction, acquittal, or dismissal, pertaining to criminal case number _____,
14 and more specifically referred to in the Petition to Seal Records on file herein, be sealed pursuant
15 to NRS 179.245 and/or 179.255 (add 453.3365 if Substance Abuse Treatment).
16

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.

19 DATED this _____ day of _____, 20____.

20
21 _____
Petitioner's Signature

22 JASON D. WOODBURY
23 DISTRICT ATTORNEY

24 By _____

25 Dated _____

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3 In the Matter of the Application of)
4 Petitioner's Name,) Case No.:
5) Dept. No.:
6) **PETITION TO SEAL RECORDS**
7)
8 For an Order to Seal Records)

9 COMES NOW _____,
10 Petitioner, represented by _____ (name of
11 attorney if, applicable), pursuant to the provisions of NRS 179.245 and/or 179.255 (add
12 453.3365 if Substance Abuse Treatment) and respectfully represents the following:

13 That the Petitioner has been arrested as follows:

14 Date of Arrest:
15 Arresting Agency & #:
16 Charge:
17 Court Case #:
18 Final Disposition:
19 PCN#:

20 that the statutory time period has been fulfilled concerning any arrests resulting in conviction,
21 and that Petitioner has no pending charges or subsequent convictions other than minor traffic
22 violations, and that further action will not be brought concerning any arrests resulting in
23 dismissal or acquittal.

24 WHEREFORE, Petitioner prays for an Order sealing all records of this matter which are
25 presently in the custody of this Court, of another court in the State of Nevada or of a public or
private agency, company or official of the State of Nevada, including but not limited to the
County Sheriff, the State of Nevada Criminal History Records Repository, the Federal Bureau of
Investigation, and all other law enforcement agencies reasonably known by either the Petitioner
or the Court to have possession of such records.

DATED this _____ day of _____, 20____.

Attorney/Petitioner Signature

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 20,____, I served the foregoing
PETITION TO SEAL RECORDS by hand delivering or mailing a true and correct copy thereof
to the addressed as follows:

Carson City District Attorney
885 E Musser Street, suite 2030
Carson City NV 89701

Signature

1 **In The First Judicial District Court of the State of Nevada**
2 **In and for Carson City**

3 In the Matter of the Application of)
4 Petitioner's Name,) Case No.:
5) Dept. No.:
6) **ORDER TO SEAL RECORDS**
7)
8 For an Order to Seal Records)

9 Pursuant to the Petition of _____ ,
10 Petitioner, represented by _____ (name of
11 attorney if, applicable) and Jason D. Woodbury, District Attorney for Carson City, Nevada, the
12 Court finding that the statutory requirements of NRS 179.245 and/or 179,255 (add 453.3365 if
13 Substance Abuse Treatment) are satisfied, and good cause appearing, therefore

14 **IT IS HEREBY ORDERED** that the following records of arrest be sealed:

15 Date of Arrest:
16 Arresting Agency & #:
17 Charge:
18 Court Case #:
19 Final Disposition:
20 PCN#:

21 A copy of this Order shall be sent by Petitioner to each public or private company,
22 agency or other official named herein, including, but not limited to the County Sheriff, the State
23 of Nevada Criminal History Records Repository, the Federal Bureau of Investigation, and all
24 other law enforcement agencies reasonably known by either the Petitioner or the Court to have
25 possession of such records. The person or agency so notified shall seal the records in his or her

1 custody that relate to the matters contained in this order shall advise the Court of his or her
2 compliance, and shall then seal the order.

3 All proceedings recounted in the sealed records are deemed never to have occurred, and
4 petitioner may properly answer accordingly to any inquiry concerning the sealed arrest,
5 conviction or acquittal.

6 DATED this _____ date of _____, 20____.

7
8 _____
9 DISTRICT JUDGE
10
11
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25

1 (Your name or firm) _____

2 (Address) _____

3
4
5 (Telephone) _____

6 **In The First Judicial District Court of the State of Nevada**
7 **In and for Carson City**

8
9 In the Matter of the Application of

10 _____
11 Petitioner's Name

Case No. _____

12 For an Order to Seal Records

13 **AFFIRMATION**
14 **Pursuant to NRS 239B.030/603A.040**
15 **(Initial Appearance)**

16 The undersigned does hereby affirm that upon the filing of additional documents in the above
17 matter, an Affirmation will be provided **ONLY** if the document contains a social security
18 number (NRS 239B.030) or "personal information" (NRS 603A.040), which means a natural
19 person's first name or first initial and last name in combination with any one or more of the
20 following data elements:

- 21 1. Social Security number.
- 22 2. Driver's license number or identification card number.
- 23 3. Account number, credit card number or debit card number, in combination with any
24 required security code, access code or password that would permit access to the
25 person's financial account.

22 The term does not include publicly available information that is lawfully made available to the
23 general public.

24 (Your signature) _____ (Date) _____

25 The purpose of this initial affirmation is to ensure that each person who initiates a case, or upon
first appearing in a case, acknowledges their understanding that no further affirmations are
necessary unless a pleading which is filed contains personal information.

SEALING RECORDS OF CRIMINAL PROCEEDINGS (Current as of May 2015)

NRS 179.241 Definitions. As used in [NRS 179.241](#) to [179.301](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 179.242](#), [179.243](#) and [179.244](#) have the meanings ascribed to them in those sections.
(Added to NRS by [2013, 107](#))

NRS 179.242 “Agency of criminal justice” defined. “Agency of criminal justice” has the meaning ascribed to it in [NRS 179A.030](#).
(Added to NRS by [2013, 107](#))

NRS 179.243 “Disposition” defined. “Disposition” has the meaning ascribed to it in [NRS 179A.050](#).
(Added to NRS by [2013, 107](#))

NRS 179.244 “Record” defined. “Record” has the meaning ascribed to “record of criminal history” in [NRS 179A.070](#).
(Added to NRS by [2013, 107](#))

NRS 179.245 Sealing records after conviction: Persons eligible; petition; notice; hearing; order.

1. Except as otherwise provided in subsection 5 and [NRS 176A.265](#), [176A.295](#), [179.259](#), [453.3365](#) and [458.330](#), a person may petition the court in which the person was convicted for the sealing of all records relating to a conviction of:

- (a) A category A or B felony after 15 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
- (b) A category C or D felony after 12 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
- (c) A category E felony after 7 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
- (d) Any gross misdemeanor after 5 years from the date of release from actual custody or discharge from probation, whichever occurs later;
- (e) A violation of [NRS 484C.110](#) or [484C.120](#) other than a felony, or a battery which constitutes domestic violence pursuant to [NRS 33.018](#) other than a felony, after 7 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; or
- (f) Any other misdemeanor after 2 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later.

2. A petition filed pursuant to subsection 1 must:

- (a) Be accompanied by the petitioner’s current, verified records received from:
 - (1) The Central Repository for Nevada Records of Criminal History; and
 - (2) All agencies of criminal justice which maintain such records within the city or county in which the conviction was entered;
- (b) If the petition references [NRS 453.3365](#) or [458.330](#), include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records;
- (c) Include a list of any other public or private agency, company, official or other custodian of records that is reasonably known to the petitioner to have possession of records of the conviction and to whom the order to seal records, if issued, will be directed; and
- (d) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the:
 - (1) Date of birth of the petitioner;
 - (2) Specific conviction to which the records to be sealed pertain; and
 - (3) Date of arrest relating to the specific conviction to which the records to be sealed pertain.

3. Upon receiving a petition pursuant to this section, the court shall notify the law enforcement agency that arrested the petitioner for the crime and:

- (a) If the person was convicted in a district court or justice court, the prosecuting attorney for the county; or
- (b) If the person was convicted in a municipal court, the prosecuting attorney for the city.

È The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.

4. If, after the hearing, the court finds that, in the period prescribed in subsection 1, the petitioner has not been charged with any offense for which the charges are pending or convicted of any offense, except for minor moving or standing traffic violations, the court may order sealed all records of the conviction which are in the custody of any agency of criminal justice or any public or private agency, company, official or other custodian of records in the State of Nevada, and may also order all such records of the petitioner returned to the file of the court where the proceeding was commenced from, including, without limitation, the Federal Bureau of Investigation, the California Bureau of Criminal Identification and Information and all other agencies of criminal justice which maintain such records and which are reasonably known by either the petitioner or the court to have possession of such records.

5. A person may not petition the court to seal records relating to a conviction of:

- (a) A crime against a child;

- (b) A sexual offense;
 - (c) A violation of [NRS 484C.110](#) or [484C.120](#) that is punishable as a felony pursuant to paragraph (c) of subsection 1 of [NRS 484C.400](#);
 - (d) A violation of [NRS 484C.430](#);
 - (e) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by [NRS 484C.110](#), [484C.130](#) or [484C.430](#);
 - (f) A violation of [NRS 488.410](#) that is punishable as a felony pursuant to [NRS 488.427](#); or
 - (g) A violation of [NRS 488.420](#) or [488.425](#).
6. If the court grants a petition for the sealing of records pursuant to this section, upon the request of the person whose records are sealed, the court may order sealed all records of the civil proceeding in which the records were sealed.
7. As used in this section:
- (a) "Crime against a child" has the meaning ascribed to it in [NRS 179D.0357](#).
 - (b) "Sexual offense" means:
 - (1) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of [NRS 200.030](#).
 - (2) Sexual assault pursuant to [NRS 200.366](#).
 - (3) Statutory sexual seduction pursuant to [NRS 200.368](#), if punishable as a felony.
 - (4) Battery with intent to commit sexual assault pursuant to [NRS 200.400](#).
 - (5) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to [NRS 200.405](#), if the felony is an offense listed in this paragraph.
 - (6) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to [NRS 200.408](#), if the crime of violence is an offense listed in this paragraph.
 - (7) Abuse of a child pursuant to [NRS 200.508](#), if the abuse involved sexual abuse or sexual exploitation.
 - (8) An offense involving pornography and a minor pursuant to [NRS 200.710](#) to [200.730](#), inclusive.
 - (9) Incest pursuant to [NRS 201.180](#).
 - (10) Open or gross lewdness pursuant to [NRS 201.210](#), if punishable as a felony.
 - (11) Indecent or obscene exposure pursuant to [NRS 201.220](#), if punishable as a felony.
 - (12) Lewdness with a child pursuant to [NRS 201.230](#).
 - (13) Sexual penetration of a dead human body pursuant to [NRS 201.450](#).
 - (14) Luring a child or a person with mental illness pursuant to [NRS 201.560](#), if punishable as a felony.
 - (15) An attempt to commit an offense listed in this paragraph.
- (Added to NRS by 1971, 955; A [1983, 1088](#); [1991, 303](#); [1993, 38](#); [1997, 1673, 1803, 3159](#); [1999, 647, 648, 649](#); [2001, 1167, 1692](#); [2001 Special Session, 261](#); [2003, 312, 316, 319, 1385](#); [2005, 2355](#); [2007, 2751](#); [2009, 105, 418, 1884](#); [2013, 107, 980, 1165, 1382](#))

NRS 179.255 Sealing of records after dismissal, decline of prosecution or acquittal: Petition; notice; hearing; order; inspection of records.

1. If a person has been arrested for alleged criminal conduct and the charges are dismissed, the prosecuting attorney having jurisdiction declined prosecution of the charges or such person is acquitted of the charges, the person may petition:
- (a) The court in which the charges were dismissed, at any time after the date the charges were dismissed;
 - (b) The court having jurisdiction in which the charges were declined for prosecution:
 - (1) Any time after the applicable statute of limitations has run;
 - (2) Any time 10 years after the arrest; or
 - (3) Pursuant to a stipulation between the parties; or
 - (c) The court in which the acquittal was entered, at any time after the date of the acquittal,
- È for the sealing of all records relating to the arrest and the proceedings leading to the dismissal, declination or acquittal.
2. If the conviction of a person is set aside pursuant to [NRS 458A.240](#), the person may petition the court that set aside the conviction, at any time after the conviction has been set aside, for the sealing of all records relating to the setting aside of the conviction.
3. A petition filed pursuant to subsection 1 or 2 must:
- (a) Be accompanied by the petitioner's current, verified records received from:
 - (1) The Central Repository for Nevada Records of Criminal History; and
 - (2) All agencies of criminal justice which maintain such records within the city or county in which the petitioner appeared in court;
 - (b) Except as otherwise provided in paragraph (c), include the disposition of the proceedings for the records to be sealed;
 - (c) If the petition references [NRS 453.3365](#) or [458.330](#), include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records;
 - (d) Include a list of any other public or private agency, company, official and other custodian of records that is reasonably known to the petitioner to have possession of records of the arrest and of the proceedings leading to the dismissal, declination or acquittal and to whom the order to seal records, if issued, will be directed; and
 - (e) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the:
 - (1) Date of birth of the petitioner;
 - (2) Specific charges that were dismissed or of which the petitioner was acquitted; and

- (3) Date of arrest relating to the specific charges that were dismissed or of which the petitioner was acquitted.
4. Upon receiving a petition pursuant to subsection 1, the court shall notify the law enforcement agency that arrested the petitioner for the crime and:
- (a) If the charges were dismissed, declined for prosecution or the acquittal was entered in a district court or justice court, the prosecuting attorney for the county; or
- (b) If the charges were dismissed, declined for prosecution or the acquittal was entered in a municipal court, the prosecuting attorney for the city.
- Ê The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.
5. Upon receiving a petition pursuant to subsection 2, the court shall notify:
- (a) If the conviction was set aside in a district court or justice court, the prosecuting attorney for the county; or
- (b) If the conviction was set aside in a municipal court, the prosecuting attorney for the city.
- Ê The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.
6. If, after the hearing on a petition submitted pursuant to subsection 1, the court finds that there has been an acquittal, that the prosecution was declined or that the charges were dismissed and there is no evidence that further action will be brought against the person, the court may order sealed all records of the arrest and of the proceedings leading to the acquittal, declination or dismissal which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada.
7. If, after the hearing on a petition submitted pursuant to subsection 2, the court finds that the conviction of the petitioner was set aside pursuant to [NRS 458A.240](#), the court may order sealed all records relating to the setting aside of the conviction which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada.
8. If the prosecuting attorney having jurisdiction previously declined prosecution of the charges and the records of the arrest have been sealed pursuant to subsection 6, the prosecuting attorney may subsequently file the charges at any time before the running of the statute of limitations for those charges. If such charges are filed with the court, the court shall order the inspection of the records without the prosecuting attorney having to petition the court pursuant to [NRS 179.295](#).
- (Added to NRS by 1971, 955; A [1997, 3160](#); [2001, 1693](#); [2009, 1439](#); [2013, 110, 1385](#))

NRS 179.259 Sealing records after completion of program for reentry: Persons eligible; procedure; order; inspection of sealed records by professional licensing board.

1. Except as otherwise provided in subsections 3 and 4, 5 years after an eligible person completes a program for reentry, the court may order sealed all documents, papers and exhibits in the eligible person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court may order those records sealed without a hearing unless the Division of Parole and Probation of the Department of Public Safety petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.
2. If the court orders sealed the record of an eligible person, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order.
3. A professional licensing board is entitled, for the purpose of determining suitability for a license or liability to discipline for misconduct, to inspect and to copy from a record sealed pursuant to this section.
4. A person may not petition the court to seal records relating to a conviction of a crime against a child or a sexual offense.
5. As used in this section:
- (a) "Crime against a child" has the meaning ascribed to it in [NRS 179D.0357](#).
- (b) "Eligible person" means a person who has:
- (1) Successfully completed a program for reentry to which the person participated in pursuant to [NRS 209.4886](#), [209.4888](#), [213.625](#) or [213.632](#); and
- (2) Been convicted of a single offense which was punishable as a felony and which did not involve the use or threatened use of force or violence against the victim. For the purposes of this subparagraph, multiple convictions for an offense punishable as a felony shall be deemed to constitute a single offense if those offenses arose out of the same transaction or occurrence.
- (c) "Program for reentry" means:
- (1) A correctional program for reentry of offenders and parolees into the community that is established by the Director of the Department of Corrections pursuant to [NRS 209.4887](#); or
- (2) A judicial program for reentry of offenders and parolees into the community that is established in a judicial district pursuant to [NRS 209.4883](#).
- (d) "Sexual offense" has the meaning ascribed to it in paragraph (b) of subsection 7 of [NRS 179.245](#).
- (Added to NRS by [2001, 1166](#); A [2003, 26, 2586](#); [2007, 2753](#))

NRS 179.265 Rehearings after denial of petition: Time for; number.

1. A person whose petition is denied under [NRS 179.245](#) or [179.255](#) may petition for a rehearing not sooner than 2 years after the denial of the previous petition.
2. No person may petition for more than two rehearings.
- (Added to NRS by 1971, 956)

NRS 179.275 Order sealing records: Distribution to Central Repository and persons named in order; compliance. Where the court orders the sealing of a record pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#), a copy of the order must be sent to:

1. The Central Repository for Nevada Records of Criminal History; and
2. Each agency of criminal justice and each public or private company, agency, official or other custodian of records named in the order, and that person shall seal the records in his or her custody which relate to the matters contained in the order, shall advise the court of compliance and shall then seal the order.

(Added to NRS by 1971, 956; A [1991, 304](#); [1999, 2089](#); [2001, 1168](#); [2001 Special Session, 261](#); [2003, 312](#); [2009, 107, 420](#); [2013, 111](#))

NRS 179.285 Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights. Except as otherwise provided in [NRS 179.301](#):

1. If the court orders a record sealed pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#):
 - (a) All proceedings recounted in the record are deemed never to have occurred, and the person to whom the order pertains may properly 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.
 - (b) The person is immediately restored to the following civil rights if the person's civil rights previously have not been restored:
 - (1) The right to vote;
 - (2) The right to hold office; and
 - (3) The right to serve on a jury.
2. Upon the sealing of the person's records, a person who is restored to his or her civil rights pursuant to subsection 1 must be given:
 - (a) An official document which demonstrates that the person has been restored to the civil rights set forth in paragraph (b) of subsection 1; and
 - (b) A written notice informing the person that he or she has not been restored to the right to bear arms, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms.
3. A person who has had his or her records sealed in this State or any other state and whose official documentation of the restoration of civil rights is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has had his or her records sealed, the court shall issue an order restoring the person to the civil rights to vote, to hold office and to serve on a jury. A person must not be required to pay a fee to receive such an order.
4. A person who has had his or her records sealed in this State or any other state may present official documentation that the person has been restored to his or her civil rights or a court order restoring civil rights as proof that the person has been restored to the right to vote, to hold office and to serve as a juror.

(Added to NRS by 1971, 956; A [1981, 1105](#); [1991, 304](#); [2001, 1169, 1694](#); [2001 Special Session, 262](#); [2003, 312, 316, 319, 2687](#); [2009, 108, 420](#); [2011, 22](#))

NRS 179.295 Reopening of sealed records.

1. The person who is the subject of the records that are sealed pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#) may petition the court that ordered the records sealed to permit inspection of the records by a person named in the petition, and the court may order such inspection. Except as otherwise provided in this section, subsection 8 of [NRS 179.255](#) and [NRS 179.259](#) and [179.301](#), the court may not order the inspection of the records under any other circumstances.
2. If a person has been arrested, the charges have been dismissed and the records of the arrest have been sealed, the court may order the inspection of the records by a prosecuting attorney upon a showing that as a result of newly discovered evidence, the person has been arrested for the same or a similar offense and that there is sufficient evidence reasonably to conclude that the person will stand trial for the offense.
3. The court may, upon the application of a prosecuting attorney or an attorney representing a defendant in a criminal action, order an inspection of such records for the purpose of obtaining information relating to persons who were involved in the incident recorded.
4. This section does not prohibit a court from considering a conviction for which records have been sealed pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#) in determining whether to grant a petition pursuant to [NRS 176A.265](#), [176A.295](#), [179.245](#), [179.255](#), [179.259](#), [453.3365](#) or [458.330](#) for a conviction of another offense.

(Added to NRS by 1971, 956; A [1981, 1105](#); [1991, 304](#); [1997, 3160](#); [2001, 1169, 1694](#); [2001 Special Session, 262](#); [2003, 312, 316, 319](#); [2009, 108, 420](#); [2013, 1386](#))

NRS 179.301 Inspection of sealed records by certain agencies.

1. The State Gaming Control Board and the Nevada Gaming Commission and their employees, agents and representatives may inquire into and inspect any records sealed pursuant to [NRS 179.245](#) or [179.255](#), if the event or conviction was related to gaming, to determine the suitability or qualifications of any person to hold a state gaming license, manufacturer's, seller's or distributor's license or registration as a gaming employee pursuant to [chapter 463](#) of NRS. Events and convictions, if any, which are the subject of an order sealing records:
 - (a) May form the basis for recommendation, denial or revocation of those licenses.
 - (b) Must not form the basis for denial or rejection of a gaming work permit unless the event or conviction relates to the applicant's suitability or qualifications to hold the work permit.

2. A prosecuting attorney may inquire into and inspect any records sealed pursuant to [NRS 179.245](#) or [179.255](#) if:
 - (a) The records relate to a violation or alleged violation of [NRS 202.575](#); and
 - (b) The person who is the subject of the records has been arrested or issued a citation for violating [NRS 202.575](#).
3. The Central Repository for Nevada Records of Criminal History and its employees may inquire into and inspect any records sealed pursuant to [NRS 179.245](#) or [179.255](#) that constitute information relating to sexual offenses, and may notify employers of the information in accordance with [NRS 179A.180](#) to [179A.240](#), inclusive.
4. Records which have been sealed pursuant to [NRS 179.245](#) or [179.255](#) and which are retained in the statewide registry established pursuant to [NRS 179B.200](#) may be inspected pursuant to [chapter 179B](#) of NRS by an officer or employee of the Central Repository for Nevada Records of Criminal History or a law enforcement officer in the regular course of his or her duties.
5. The State Board of Pardons Commissioners and its agents and representatives may inquire into and inspect any records sealed pursuant to [NRS 179.245](#) or [179.255](#) if the person who is the subject of the records has applied for a pardon from the Board.
6. As used in this section:
 - (a) “Information relating to sexual offenses” means information contained in or concerning a record relating in any way to a sexual offense.
 - (b) “Sexual offense” has the meaning ascribed to it in [NRS 179A.073](#).(Added to NRS by [1981, 1105](#); A [1987, 1759](#); [1997, 1674](#); [2003, 2688](#), [2833](#); [2003, 20th Special Session, 16](#); [2005, 973](#); [2011, 23](#); [2013, 111](#))