

IN THE _____ COURT
 _____ COUNTY, OHIO

 Applicant Name

Case No. _____

Judge: _____

**Application to Expunge Record of Conviction as
 Victim of Human Trafficking Pursuant to R.C.
 2953.38**

The Applicant moves the Court to order the expungement of record of conviction as a victim of human trafficking pursuant to R.C. 2953.38. In support of this application, the Applicant provides the following information:

1. Please complete the following (you may attach additional pages if necessary):

Date	Offense	Court or Location

2. Please describe the evidence and provide copies of any document showing you are entitled to have the records expunged (you may attach additional pages if necessary).

The Applicant hereby certifies all requirements for expunging the records are met.

Name of Applicant

Name of Attorney (if applicable)

Signature of Applicant (if pro se)

Signature of Attorney (if applicable)

Street Address of Applicant

Attorney Registration No. (if applicable)

City, State, and Zip Code of Applicant

Street Address of Attorney (if applicable)

Driver's License No. of Applicant (if applicable)

City, State, and Zip Code of Attorney (if applicable)

Telephone of Applicant (if pro se)

Email Address of Attorney (if applicable)

Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for _____, this _____ day of _____, 20____.

IN THE _____ COURT
_____ COUNTY, OHIO

Applicant Name : Case No(s). _____
: _____
: _____
: Judge: _____
: _____
: **Decision of Magistrate to Expunge Record of**
: **Conviction as Victim of Human Trafficking**
: **Pursuant to R.C. 2953.38**

This matter came before the Court on the Applicant's application to expunge the Applicant's record of conviction as a victim of human trafficking pursuant to R.C. 2953.38.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

The Court finds the Applicant's participation in the offense with which the Applicant was convicted was the result of the Applicant having been a victim of human trafficking and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

Date

Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Crim.R.19.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be expunged.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;
3. The Prosecutor for _____;
4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

Rejects the Decision of the Magistrate.

Modifies the Decision of the Magistrate as follows: _____

Date

Judge

IN THE _____ COURT
_____ COUNTY, OHIO

State of Ohio :
: Case No(s) _____
v. : _____
: Judge: _____
: _____
Applicant's Name : **Order of Judge to Expunge Record of Conviction
as Victim of Human Trafficking Pursuant to R.C.
2953.38**

This matter came before the Court on the Applicant's application to expunge the Applicant's record of conviction as a victim of human trafficking pursuant to R.C. 2953.38.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

The Court finds the Applicant's participation in the offense with which the Applicant was convicted was the result of the Applicant having been a victim of human trafficking and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;
2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;
3. The Prosecutor for _____;
4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

Date

Judge