

## SEALING OF CONVICTIONS CHECKLIST

1. Sealing of Convictions (2953.31 to 2953.36)
2. Fee \$50.00 mandatory per Application (Fee is per application, not per case or per offense) **PLUS** \$100.00 investigation fee.
3. Eligibility determined by Clerk of Court (ORC 2953.31 (A)-eligibility)
  - Not more than two (2) misdemeanors (Can be of the same offense)  
[Repeat offender sealable if only two (2) are alike]
  - Counting Convictions
    - How to count the “two misdemeanors” (2 or more offenses committed at the same time is **one** offense even if Supreme Court requires in separate file folders-case numbers. (i.e. OVI + possession of drugs=one offense)
  
    - Two or more offenses committed within a three (3) month period charged or resolved is “one offense” and is sealable. (unless Judge determines not in public interest for 2 or 3 convictions to be counted as one)
  
    - Do not count minor misdemeanors or traffic offenses in calculating “No more than two misdemeanor offenses for sealing eligibility”.  
[Except OVI counts as a prior and is not sealable]

### List of exceptions:

- Traffic exceptions that count as a 2<sup>nd</sup> misdemeanor
    - OVI (4511.19)
    - Street racing (4511.251)
    - Hit Skip/Leaving the Scene after accident (4549.02), (4549.021), (4549.03)
    - Master Key Violation (4549.042)
    - Tampering with Vin Numbers (4549.62)
    - Odometer Violations (4549.41-4549.46)
    - Driving under OVI Suspension
    - Driving under ALS Suspension
    - Driving under Pretrial (Court Suspension) for OVI
  - Non-sealable Conviction Offense
    - Sex Offenses
    - Any Traffic offenses in 4507, 4510, 4511 and 4549 (cannot be sealed but may not generally be used to count 2<sup>nd</sup> misdemeanor) see above
  - Crimes of Violence
    - Assault (2903.13)
    - Permitting Child Abuse (2903.15)
    - Aggravated Menacing (2903.21)
    - Menacing by Stalking (2903.211)
    - Menacing (2903.22)
    - Domestic Violence (2919.25 (A) M1 or above)
    - Intimidating Witness, Attorney or Victim in a Criminal case (2921.04)
    - Conspiracy or Complicity to commit the above charges
    - Child Support non payment (2919.21)
4. No pending criminal cases (check criminal history)
  5. Time to file: one year after sentence date or end of probation whichever is longer.

### Exception:

- If defendant did not pay fines/costs –Not sealable
- If defendant did not pay restitution –Not sealable  
(\*Even if Probation time has ended)

**STATE OF OHIO, COLUMBIANA COUNTY  
IN THE EAST LIVERPOOL MUNICIPAL COURT**

\_\_\_\_ State of Ohio  
\_\_\_\_ City of East Liverpool  
          VS

)  
( Case Number \_\_\_\_\_  
)  
( **MOTION TO SEAL THE CRIMINAL**  
) **CONVICTION RECORD**  
( **(ORC 2953.32)**  
) **JUDGE DOMINIC A. FRANK**

\_\_\_\_\_  
Defendant/Applicant (please print)

**APPLICATION FOR ORDER SEALING RECORD OF CONVICTION**

Defendant hereby makes application to the Court pursuant to Ohio Revised Code §2953.32 of the sealing of the conviction in the above stated case. Defendant hereby provides the following information:

1. Conviction offense(s) \_\_\_\_\_
2. Date of conviction(s) \_\_\_\_\_
3. Date sentence completed \_\_\_\_\_
4. Date Probation terminated \_\_\_\_\_
5. Current address \_\_\_\_\_  
\_\_\_\_\_
6. Current telephone number \_\_\_\_\_ 7. DOB \_\_\_\_\_
8. Driver's license number & State \_\_\_\_\_ 9. SSN \_\_\_\_\_

**AFFIDAVIT:**

Defendant states that the above captioned case(s) is eligible for sealing, that there are no criminal proceedings pending, and that the interests of Defendant in having the record pertaining to this case are not outweighed by any legitimate government needs to maintain that record.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant/Applicant

Sworn and subscribed before me, a notary public, this \_\_\_\_ date of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk/Deputy Clerk/Notary Public

My commission expires \_\_\_\_\_