

IN THE MUNICIPAL COURT OF TOPEKA, KANSAS

\_\_\_\_\_ [Name]  
Petitioner

Case No. \_\_\_\_\_

vs.

CITY OF TOPEKA, KANSAS  
Respondent

**PETITION FOR EXPUNGEMENT OF CONVICTION OR DIVERSION**

Pursuant to TMC 2.110.660

I respectfully request of the Court an order of expungement of my  conviction and related arrest records **OR**  diversion record and related arrest records. In support thereof, I state the following:

1. My full name is \_\_\_\_\_;
2. My full name at the time of my arrest or conviction, if different than #1, was \_\_\_\_\_;
3. I am a \_\_\_\_\_ [Race] \_\_\_\_\_ [Sex] born on \_\_\_\_\_ [Date of Birth];
4. I was arrested in Topeka, Kansas on \_\_\_\_\_ [Date] by \_\_\_\_\_ [Law Enforcement Agency] and charged with the crime of \_\_\_\_\_;
5. I was convicted of \_\_\_\_\_ on \_\_\_\_\_ [Date];

**OR**

I was granted a diversion for the crime of \_\_\_\_\_ on \_\_\_\_\_ [Date];

6. The convicting court or diverting authority was \_\_\_\_\_;
7. The date of final discharge was \_\_\_\_\_;
8. More than  one  three  five  ten years have elapsed since I fulfilled the terms of a diversion agreement, satisfied the sentence imposed, or was discharged from probation, a community services program, parole, post-release supervision, conditional release or a suspended sentence;
- I was convicted/ received a diversion for prostitution and I can prove that I was acting under coercion. Coercion means: threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.
9. I have not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against me;
10. The conviction or diversion for which expungement is sought is not one of the offenses set out in K.S.A. 21-6614(d), for which no expungement is permitted; I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my knowledge and I respectfully request that the Court set this matter for hearing and grant the expungement.

\_\_\_\_\_  
 Petitioner, Pro Se (Signature)

Name (Print): \_\_\_\_\_

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

[Fax Number]: \_\_\_\_\_

[E-mail Address]: \_\_\_\_\_

## Notes on Use

A person may **not** receive an expungement for convictions or diversions until the applicable time period has passed:

Conviction	Date when crime was committed	Time since sentence completed	Time since diversion completed	Time since discharged from probation, community correctional services, parole, postrelease supervision, conditional release or suspended sentence	Expungement Available	K.S.A. with more details
		Or	Or			
driving under the influence ( <i>see</i> K.S.A. 8-1567)	Not relevant	10 years	10 years	10 years	Yes	21-6614(c)
driving while canceled, suspended or revoked	Not relevant	5 years	5 years	5 years	Yes	21-6614(b)
failing to have motor vehicle insurance	Not relevant	5 years	5 years	5 years	Yes	21-6614(b)
failing to stop at the scene of an accident and perform required duties	Not relevant	5 years	5 years	5 years	Yes	21-6614(b)
prostitution	Not relevant	1 year	1 year	1 year	Yes	21-6614
Other misdemeanor	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)
traffic infraction	Not relevant	3 years	3 years	3 years	Yes	21-6614(a)