

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
 Respondent,)
)
 v.)
)
 CLIENT,)
)
 Petitioner.)
 _____)

SEALED PER COURT ORDER

ORDER FOR RELIEF PURSUANT TO PENAL CODE SECTION 236.14

CASE #: MCR _____

(Case Numbers: _____)

Petitioner has filed a petition for vacating, sealing, and destroying arrest and conviction records pursuant to Penal Code §236.14 pertaining to:

Offense date(s)	Arrest date(s)	Arresting agency	Agency Arrest Number	Sheriff Booking Number(s)	Prosecutorial Agency	Court Number	Offense(s)

The District Attorney and the City Attorney stipulate to granting the petition.

COURT ORDER

The Petition is granted and the court makes the following findings and orders:

The court makes the following findings for each of the arrests and convictions listed in the table above:

- 1) That the petitioner was a victim of human trafficking at the time the nonviolent crime was committed.
- 2) The commission of the crime was a direct result of being a victim of human trafficking.
- 3) The victim is engaged in a good faith effort to distance himself or herself from the human trafficking scheme.
- 4) It is in the best interest of the petitioner and in the interests of justice to vacate the conviction and expunge the arrest.

It is hereby ordered for each arrest and offense listed in the table above:

- 1) The guilty verdict is set aside and the accusation or information against the petitioner is dismissed.
- 2) The arrest and any adjudications or convictions suffered by the petitioner are deemed not to have occurred.
- 3) All records in the case are sealed and destroyed pursuant to section 236.14.
- 4) The petitioner is not relieved of the financial restitution order in case(s) _____, unless it has already been paid.
- 5) All court fines, fees, or other costs are deleted. Any CR110's shall be sealed and destroyed. The clerk of the Court shall notify the Department of Revenue and Recovery, the Franchise Tax Board, and any civil collection agency (such as Alliance One) of this order.
- 6) Notwithstanding any other law, a petitioner may lawfully deny or refuse to acknowledge an arrest, conviction, or adjudication that is set aside pursuant to this order. The petitioner may hereafter state that he or she was not arrested for the charge, or adjudicated or convicted of the charge, which was vacated.
- 7) Notwithstanding any other law, the records of the arrest, conviction, or adjudication shall not be distributed to any state licensing board.

It is hereby further ordered for each arrest and offense listed in the table on page one the arresting agency(ies), the Department of Justice, the San Diego County Department of the Sheriff, the California Department of Corrections and Rehabilitation, the California Department of Corrections and Rehabilitation Department of Parole, the San Diego County Department of Probation, the District Attorney, the City Attorney, and _____ shall:

- 1) Forthwith seal all the records of arrests, and any convictions if the arrest resulted in a prosecution, including but not limited to any reports, fingerprints, booking information;
- 2) Forthwith seal this court order; and
- 3) Thereafter, destroy all these records within one year of this court order.
- 4) No later than 90 days from the date of this **order** e-mail all the below listed counsel to confirm and verify compliance with this order.
 - Katherine Braner (Katherine.Braner@sdcounty.ca.gov)
 - Jamie Quient (jamie@freetothrivesd.org)
 - Mary Ellen Barrett (maryellen.barrett@sdcda.org)

Jeffery Brooker (JBrooker@sandiego.gov)

It is hereby further ordered that the California Department of Justice destroy petitioner's DNA sample and expunge petitioner's searchable DNA database profile.

It is hereby further ordered that the California Department of Justice notify the Federal Bureau of Investigations within thirty days of receipt of this order to update petitioner's Identity History Summary to comply with this order and Penal Code section 236.14.

It is hereby further ordered

The Clerk of the Court is hereby ordered to:

(1) Distribute a certified copy of this order to the following agencies:

- All arresting agency(ies) listed in the table on page 1 of this order
- All prosecutorial agencies listed in the table on page 1 of this order
- San Diego County Department of the Sheriff
- Department of Justice
- San Diego County Department of Probation
- California Department of Corrections and Rehabilitation
- California Department of Corrections and Rehabilitation Department of Parole
- Department of Justice CAL-DNA Data Bank Program
- _____

(2) Provide the petitioner ten certified copies of this court order concerning the destruction of the arrest records without cost to the petitioner.

Date: _____

Judge of the Superior Court