

## **GWINNETT COUNTY SOLICITOR GENERAL'S OFFICE**

### **REQUEST TO RESTRICT (EXPUNGE) ARREST RECORD for On or After July 1, 2013**

**Eligibility:** As of January 1, 2021, an individual with an eligible conviction may petition the court for restriction consideration four years after they have completed their sentence as long as they have not been convicted of a new offense in the four years prior to filing and do not have any pending charges.

- The conviction must be an eligible offense (under O.C.G.A. § 35-3-37 (j)(4)(A), convictions for any offenses listed in (j)(4)(B) are ineligible for restriction consideration);
- The individual has completed the terms of their sentence;
- The individual has not been convicted of any crime in any jurisdiction for at least four years prior to filing (excluding non-serious traffic offenses); and
- The individual has no pending charged offenses.

**Process:** If an individual's conviction meets the criteria above, they may petition the court of conviction for record restriction consideration and should serve the prosecutor with a copy of the petition.

**Limitations:** An individual is limited to two lifetime conviction restrictions under this code section, and, if the petition is denied, the petitioner must wait two years from the date of the final order to refile on the same case.

**JAIL RECORDS and Restricted Criminal Records** – Pursuant to O.C.G.A. § 35-3-37 (k)(2), 30 days after an individual's record has been restricted, the individual may send a written request to the appropriate county or municipal jail or detention center to have all records for the defendant's restricted offense that have been maintained by the appropriate county or municipal jail or detention center restricted. Within 30 days of such request, the appropriate county or municipal jail or detention center shall restrict access to all such criminal history record information maintained by such appropriate county or municipal jail or detention center for such individual's charge offense that has been restricted.

Please submit the completed form with a photocopy of your government-issued identification and a copy of your case disposition, if available via mail or email to:

**Gwinnett County Solicitor General's Office  
Record Restrictions  
75 Langley Drive  
Lawrenceville, GA 30046  
or  
email: [recordrestrictions@gwinnettcounty.com](mailto:recordrestrictions@gwinnettcounty.com)**

**REQUEST TO RESTRICT ARREST RECORD**

**on or after 07/01/2013**

**O.C.G.A. §35-3-37**

**One (1) Date of Arrest per Request**

**SECTION ONE - APPLICANT INFORMATION**

*(Completed by Applicant)*

**Solicitor Reference #**

Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

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

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_

Offenses(s) Arrested For: \_\_\_\_\_

***Section One must be completed in it's entirety before request may be submitted to the Prosecuting Attorney's Office.***

I request the arrest record information (Date of Arrest and associated charges) described above pertaining to me be restricted from the record(s) of the arresting agency pursuant to the provisions of O.C.G.A. §35-3-37.

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

**SECTION TWO – PROSECUTING ATTORNEY**

**(Completed by Prosecuting Attorney)**

Date Request Received: \_\_\_\_\_

Judicial Circuit / County: \_\_\_\_\_

Prosecuting Agency ORI Number: \_\_\_\_\_

District Attorney / Solicitor General: \_\_\_\_\_

Prosecutor Assigned to Case: \_\_\_\_\_

Case / Citation / Docket Number: \_\_\_\_\_

**Please select one of the following actions:**

Approved - Record Restriction Meets Statutory Requirements

No Information Available; Record Restriction Forwarded Without Objection

Approved - No Further Action Anticipated

No Information Available at Prosecutor's Office; Returned to Arresting Agency for Further Research. **DO NOT FORWARD RESTRICTION FORM TO GCIC.**

Denied - Restriction Does Not Meet Statutory Requirements

**DO NOT FORWARD RESTRICTION FORM TO GCIC.**

**If additional Charges from same Arrest Date, other than those identified on Page 1, are also approved for record restriction, list the Arrest Charge Tracking Number(s) and Charges in Prosecutor Comments.**

Prosecutor Comments:

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**Prosecutor Completing Form:**

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

Signature: \_\_\_\_\_ Email: \_\_\_\_\_