



Rule 2.86—Form 1: Application to Expunge Court Record under Iowa Code section 901C.2

If you do not understand how to use this form, or if you are unsure whether you should use this form, talk to an attorney.

In the Iowa District Court for _____ County
County where you are filing this Application

State of Iowa or _____

vs.

Defendant

Case no. _____

**Application to Expunge Court Record
under Iowa Code section 901C.2**

If you need assistance to participate in court due to a disability, call the disability coordinator (information at www.iowacourts.gov/for-the-public/ada). Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.**

Defendant respectfully applies to the court for an order expunging the court records in this case pursuant to Iowa Code section 901C.2. In support of this application, Defendant acknowledges that the following statements are true and correct to the best of Defendant's knowledge:

Read, complete, and check each item if you agree.

1. This criminal case contains one or more criminal charges for which:

Check one

A. An acquittal was entered for all criminal charges.

B. All criminal charges have been dismissed.

2. All court costs, fees, and any other financial obligations ordered by the court or assessed by the clerk of district court in relation to the charges in this case have been satisfied in full.

3. Since the entry of the judgment of acquittal or the order dismissing the case:

Check one

A. More than 180 days have passed.

B. The court should waive the 180-day requirement because:

Check this box if you have attached a sheet with additional information.

4. This case was not dismissed due to Defendant being found not guilty by reason of insanity.

5. Defendant was not found incompetent to stand trial in this case.

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Read Before Signing
Please check each statement below after you have read it.

- I understand** that I must provide a copy of this application to the county attorney.
- I understand** that the records in a criminal case expunged under this section are confidential and exempt from public access under Iowa Code section 22.7, but the clerk of district court may make the records available upon request and without court order to Defendant or to an agency or person granted access to the deferred judgment docket under Iowa Code section 907.4(2).
- I understand** that Iowa Code section 901C.2 does not apply to dismissals related to a deferred judgment under section 907.9.
- I understand** that Iowa Code section 901C.2 applies only to public offenses, as defined under section 692.1.

Signature

Check one

- A. Defendant is self-represented.

If you check A, you must fill in the following information:

I, _____, have read this Application, and I certify
Print your full name: first, middle, last
 under penalty of perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Application is true and correct.

_____, 20____
*Month Day Year Self-represented defendant's signature**

Mailing address

_____, _____, _____
City State ZIP code

(_____) _____
Phone number Email address

**This form may be signed either by using a digitized signature, see instructions at <https://www.iowacourts.gov/for-the-public/court-forms/>, or by printing and hand-signing.*

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B. Defendant’s attorney is filing this Application on behalf of Defendant after discussing the contents of this Application with Defendant.

If you check B, you must fill in the following information:

_____, 20____
Month Day Year Attorney’s signature

Name of law firm, if applicable

Mailing address

_____, _____, _____
City State ZIP code

(_____) _____
Phone number

Email address Additional email address, if applicable

Certification of Service by Mailing or Delivery

If you cannot find your case on the Iowa Judicial Branch eFile System, proceed with filing your application in paper at the county clerk of court office. You must fill out the below and mail or hand deliver a copy of this application to the county attorney of the county in which you are filing this application.

I, _____, certify that on _____, 20____,
Print your full name: first, middle, last Month Day Year

I mailed or gave a copy of this Application to the county attorney at this address:

Name of person to whom I delivered or mailed it

_____, _____, _____
Mailing address City State ZIP code