

**DEFENDANT'S *PRO SE* MOTION TO RESTRICT AND SEAL RECORD OF
CHARGES(S) PLACED ON DEAD DOCKET**
PER O.C.G.A. § 35-3-37(j)(3), (m)

- **File a Motion to Restrict and Seal Record of Dead Docket if your charges were placed on the dead docket of a superior court.**
- **Use the original indictment/case number in the header.**
- **Use the Offender Tracking Number (OTN) for the specific arrest cycle provided on your GCIC criminal history record.**

Disclaimer: Sample motions and petitions are provided for reference purposes only and do not create an attorney-client relationship with the Georgia Justice Project.

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

_____,
Defendant, *Pro Se*

Case No: _____

OTN: _____

**DEFENDANT'S PRO SE MOTION TO RESTRICT
AND SEAL RECORDS OF CHARGE(S) PLACED ON THE DEAD DOCKET**

COMES NOW Defendant, *pro se*, and moves this Honorable Court to grant this Motion to Restrict and Seal Records Of Charge(s) Placed on the Dead Docket pursuant to O.C.G.A.

§35-3-37(j)(3), (m). In support of this motion, Defendant shows the following:

1.

Defendant was arrested on the date of _____, and charged with the offense(s) of: _____.

2.

Defendant was indicted in the above-styled matter and on the date of _____, the case was placed on the dead docket of this Court. (*See attached copy of final disposition*).

3.

A period of at least twelve (12) months has passed since the date of the dead docket and the state has not made a motion to remove the charges from the dead docket (See O.C.G.A. §35-3-37(j)(3)).

4.

The harm resulting to the privacy of Defendant outweighs the public interest in having the case information available to the public because it interferes with Defendant's ability to

secure employment and/or housing and/or other opportunities. (See O.C.G.A. §35-3-37(m)). (See attached documentation).

WHEREFORE, Defendant respectfully requests that this Honorable Court grant this motion and order all criminal history record information pertaining to this case be restricted by the Georgia Crime Information Center (GCIC) and all agencies maintaining such information in _____ County, including but not limited to the arresting agency and the jail/detention center, pursuant to O.C.G.A. §35-3-37(j)(3). In addition, Defendant requests the records of this case, including any index references, be sealed by the Clerk of Superior Court in _____ County pursuant to O.C.G.A. §35-3-37(m). In the alternative, Defendant respectfully requests that this Honorable Court schedule a hearing on this motion within ninety (90) days of filing of said motion.

Respectfully submitted this the ____ day of _____, 20__.

Defendant, *Pro Se*

NAME: _____

ADDRESS: _____

PHONE: _____

FAX: _____

EMAIL: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

_____,
Defendant, *Pro Se*

Case No: _____

CERTIFICATE OF SERVICE

This is to certify that I have this day served the District Attorney and the Clerk of Court with a copy of DEFENDANT'S PRO SE MOTION TO RESTRICT AND SEAL RECORDS OF CHARGE(S) PLACED ON THE DEAD DOCKET by hand delivery.

This the ____ day of _____, 20__.

Defendant, *Pro Se*

NAME: _____

ADDRESS: _____

PHONE: _____

FAX: _____

EMAIL: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

_____,
Defendant, *Pro Se*

Case No: _____

OTN: _____

ORDER TO RESTRICT AND SEAL RECORDS OF CHARGE(S)
PLACED ON THE DEAD DOCKET

This Court, having considered Defendant's Pro Se Motion to Restrict and Seal Records of Charges Placed on the Dead Docket, pursuant to O.C.G.A. § 35-3-37(j)(3), (m) and for good cause shown,

IT IS HEREBY ORDERED that the Motion is granted and the Georgia Crime Information Center (GCIC) and every agency in _____ County, including but not limited to the arresting agency and the jail/detention center, is ordered to restrict all criminal history record information pertaining to the above-referenced case number (Arrest Date: _____) pursuant to O.C.G.A. §35-3-37(j)(3).

IT IS FURTHER ORDERED, pursuant to O.C.G.A. §35-3-37(m), that the Clerk of Court of Superior Court of _____ County seal the record of the above-styled case, including index references.

IT IS FURTHER ORDERED that information regarding the above-styled case
be disclosed only to judicial officials and criminal justice agencies for law enforcement.
Other requests for disclosure may not be granted without Order of the Court.

SO ORDERED this the _____ day of _____, 20__.

JUDGE, SUPERIOR COURT OF _____ COUNTY

Presented by:

Defendant, *Pro Se*

**PETITIONER'S *PRO SE* PETITION TO RESTRICT AND SEAL RECORD OF
MISDEMEANOR CHARGES(S) PLACED ON DEAD DOCKET**
PER O.C.G.A. § 35-3-37(j)(3), (m)

- **File a Petition to Restrict and Seal Record of Misdemeanor Charges Placed on the Dead Docket if your charges were placed on the dead docket in any court other than a superior court.**
- **This is a civil petition. Leave the case number and judge blank in header, the clerk of court will fill in the information at the time of filing.**
- **Use the Offender Tracking Number (OTN) for the specific arrest cycle provided on your GCIC criminal history record.**

Disclaimer: Sample motions and petitions are provided for reference purposes only and do not create an attorney-client relationship with the Georgia Justice Project.

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Petitioner, *Pro Se*

v.

_____,
Respondent, Solicitor General

Case No: _____

Judge: _____

OTN: _____

**PETITIONER'S PRO SE PETITION TO RESTRICT AND SEAL RECORDS OF
MISDEMEANOR CHARGE(S) PLACED ON THE DEAD DOCKET**

COMES NOW Petitioner, *pro se*, and moves this Honorable Court to grant this Petition to Restrict and Seal Records Of Misdemeanor Charge(s) Placed on the Dead Docket pursuant to O.C.G.A. §35-3-37(j)(3), (m). In support of this petition, Petitioner shows the following:

1.

Petitioner was arrested on the date of _____, and charged with the offense(s) of: _____

2.

Petitioner was charged in the _____ Court of _____ County in Accusation/Case Number _____ and on the date of _____, the case was placed on the dead docket. (*See attached copy of final disposition*).

3.

A period of at least twelve (12) months has passed since the date of the dead docket and the state has not made a motion to remove the charges from the dead docket (See O.C.G.A. §35-3-37(j)(3)).

4.

The harm resulting to the privacy of Petitioner outweighs the public interest in having the case information available to the public because it significantly interferes with Petitioner's ability to secure employment and/or housing and/or other opportunities. (See O.C.G.A. §35-3-37(m)). (See attached documentation).

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant this petition and order all criminal history record information, including index reference, pertaining to the criminal case of State v. _____, in the _____ Court of _____ County, Accusation/Case Number _____, be restricted by the Georgia Crime Information Center (GCIC) and all agencies maintaining such information in _____ County, including but not limited to the arresting agency and the jail/detention center, pursuant to O.C.G.A. §35-3-37(j)(3). In addition, pursuant to O.C.G.A. § 35-3-37(m), Petitioner requests the record of the instant case and record of the underlying criminal case of State v. _____, _____ Court of _____ County, Accusation/Case Number _____, including index references, be sealed by the Clerk of _____ Court of _____ County. In the alternative, Petitioner respectfully requests that this Honorable Court schedule a hearing on this motion within ninety (90) days of filing said motion.

Respectfully submitted this the _____ day of _____, 20____.

Petitioner, *Pro Se*

NAME: _____

ADDRESS: _____

PHONE: _____

FAX: _____

EMAIL: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Petitioner, *Pro Se*

v.

_____,
Respondent, Solicitor General

Case No: _____

Judge: _____

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Solicitor General and the Clerk of Court with a copy of **PETITIONER'S PRO SE PETITION TO RESTRICT AND SEAL RECORDS OF MISDEMEANOR CHARGE(S) PLACED ON THE DEAD DOCKET** by hand delivery.

This the _____ day of _____, 20__.

Petitioner, *Pro Se*

NAME: _____

ADDRESS: _____

PHONE: _____

FAX: _____

EMAIL: _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

Petitioner, *Pro Se*

v.

_____,
Respondent, Solicitor General

Case No: _____

Judge: _____

OTN: _____

**ORDER TO RESTRICT AND SEAL RECORDS OF MISDEMEANOR CHARGE(S)
PLACED ON THE DEAD DOCKET**

This Court, having considered Petitioner's Pro Se Petition to Restrict and Seal Records of Misdemeanor Charges Placed on the Dead Docket, pursuant to O.C.G.A. § 35-3-37(j)(3), (m) and for good cause shown,

IT IS HEREBY ORDERED that the Petition is granted and the Georgia Crime Information Center (GCIC) and every agency in _____ County, including but not limited to the arresting agency and the jail/detention center, is ordered to restrict all criminal history record information pertaining to the criminal case of State v. _____, in the _____ Court of _____ County, Accusation/Case Number _____, (Arrest Date: _____), pursuant to O.C.G.A. §35-3-37(j)(3).

IT IS FURTHER ORDERED, pursuant to O.C.G.A. §35-3-37(m), that the Clerk of Superior Court of _____ County seal the record of the instant case and the Clerk of _____ Court of _____ County seal the record of the underlying criminal case, including index references, in the criminal case of State v. _____, in the _____ Court of _____ County, Accusation/Case Number _____.

IT IS FURTHER ORDERED that information regarding the above-styled case and the underlying criminal case be disclosed only to judicial officials and criminal justice agencies for law enforcement purposes. All other requests for disclosure may not be granted without Order of the Court.

SO ORDERED this the _____ day of _____, 20__.

JUDGE, SUPERIOR COURT OF _____ COUNTY

Presented by:

Petitioner, *Pro Se*