

## HOW TO FILE FOR DISMISSAL IN SAN JOAQUIN COUNTY

**Step 1:** Complete the **Petition for Dismissal (CR-180), Order for Dismissal (CR-181) (top portion only)** and **Proof of Service** form. Where applicable, complete a **Declaration (MC-030)** and **San Joaquin County Fee Waiver Form**

**Step 2:** Submit the **Original and 2 copies** of the **Petition for Dismissal (including any Declaration)** and the **Original Order for Dismissal** and **Fee Waiver** forms to the Clerk's office. When submitting forms:

- in person - provide **1** self-addressed stamped envelope.
- by mail - include **2** self-addressed stamped envelopes.

**The Court will return 2 copies** of the filed Petition to you with the court date information.

**IF NO FEE WAIVER IS FILED: Pay a reimbursement fee** of \$100.00 for the Petition filed pursuant to Penal Code §1203.4 (probation completed) or \$60.00 for a Petition filed pursuant to Penal Code §1203.4a (not placed on probation.)\*\*

**Step 3:** **Serve** (hand deliver or mail) a **filed Copy of the Petition for Dismissal** form (this is the copy returned to you from Step 2 above) to the San Joaquin County District Attorney's office.\* The document must be served at least 12 weeks prior to the court date on cases with felony charges and at least 3 weeks prior to the court date on cases with misdemeanor charges.

### San Joaquin County District Attorney

222 East Weber Avenue  
Second Floor, Suite 202  
Stockton, CA 95202  
(209) 468-2400

**Step 4:** Submit (hand deliver or mail) the Original **Proof of Service** to the Clerk's office at least 2 weeks prior to the court date. Failure to do so may cause the case to be dropped from calendar or continued.

\* **TIP:** If you file the petition(s) in person, you can file your proof of service at the same time. You will receive two filed copies with the court date from the clerk and can walk over or mail a copy to the DA on the same day.

\*\*If you file a **Fee Waiver**, the Court will process the Petition for Dismissal and make a determination of your ability to reimburse all or a portion of the cost. If the Court determines you are able to reimburse part or all of the cost, the Order for Dismissal **will not** be processed until the fee is paid.

Your Petition will be heard in the court in which it was adjudicated. If adjudicated in the Tracy Branch you will file your Petition in the Manteca Branch Court.

### Stockton Superior Court

#### Mailing:

Superior Court of California – San Joaquin  
Criminal Department  
180 E Weber Ave Ste 202

#### Street:

180 E Weber Ave  
Stockton CA 95202

### Lodi Superior Court

#### Mailing:

315 W Elm St

#### Street:

217 W Elm St  
Lodi CA 94240

### Manteca Superior Court

315 E Center St Manteca  
CA 95336

## How do I file a petition in person? (Stockton)



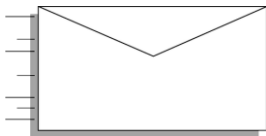
Enter the courthouse at 180 E Weber Ave. Pass through security and continue up to the 2<sup>nd</sup> floor counter for Criminal, Civil, Appeals, and Traffic.



Find the kiosk at the top of the escalator and choose “criminal” on the touch screen, take your number and wait to be called to speak with a clerk.



Tell the clerk you’d like to file an expungement petition. Give the clerk the materials listed on the reverse page. Tell the clerk you would like to also file the proof of service, and provide one form for each petition. The clerk will return two filed copies of each petition with hearing information.



Drop one copy of the filed petition in the mail for the District Attorney.

**YOU'RE ALL SET!**