

APPLICATION & AGREEMENT
"PETITION FOR DISMISSAL"
CALIFORNIA PENAL CODE §1203.4, §1203.4A, §17

Defendant's Information

Today's Date _____

Name: _____ DOB: _____ Age: ____ Last Four of SS#: _____

Mailing Address: _____ Apt: _____

City: _____ State: _____ Zip: _____

Mobile Telephone: () - _____ Email: _____ @ _____

Driver's License# _____ State: _____

CASE INFORMATION

CASE NUMBER: _____ Court Location: _____

DATE OF CONVICTION: _____ Code Section: _____ Code# _____

Felony Misdemeanor Probation Granted? _____
Yes or No

Probation Completed: _____ Was Probation Revoked/Reinstated: _____
Yes or No Yes or No

Have any **NEW** charges been filed against you since _____ ? _____
Yes or No

Previous Record - Other than Case#

List **ALL** Prior Arrests: _____ No Prior Arrests

Offense: _____ Arresting Agency: _____ Date: _____

Disposition: _____

Offense: _____ Arresting Agency: _____ Date: _____

Disposition: _____

Offense: _____ Arresting Agency: _____ Date: _____

Disposition: _____

Outstanding **Warrants**? Yes No Unknown

ANY Other Cases **Pending**? Yes No Unknown

Currently on **Probation**? Yes No Unknown

Currently on **Parole**? Yes No Unknown

WHAT YOU MUST KNOW!

A California expungement **does not erase a criminal conviction**. It simply updates the record of conviction to reflect that the guilty plea has been withdrawn, a "not guilty" plea has been entered in its place, probation is terminated, and the case has been dismissed.

If someone does a background check on you, even after an expungement, they still may see that the conviction did take place. But they will also see that it was later successfully expunged.

In an application for a **state license**, for **public office**, or for **contracting** with the state lottery, if you are asked whether you've been convicted of a crime, **you must disclose any criminal convictions, even if the convictions have been expunged**.

California law makes it **illegal** to own, use or possess a firearm **after a felony conviction and after certain misdemeanor convictions**. An expungement **does not relieve** the convicted person of this prohibition.

An expungement **does not relieve a convicted sex offender in California of the duty to register under California Penal Code §290**.

If you are convicted of crimes in the future, the court can (and sometimes must) impose stiffer sentences because of the prior record. Generally, an expungement does not prevent a conviction from still being "priorable" for this purpose.

Are You Eligible?

Individuals are generally entitled to have a felony or misdemeanor criminal record expunged in California if he or she:

- 1. Was granted probation, **AND**
- 2. Successfully completed probation, **AND**
- 3. Is **NOT** currently
 - a. Charged with a criminal offense,
 - b. On probation for a criminal offense or
 - c. Presently in custody

Who is NOT Eligible?

- 1. Individuals sent to State Prison
- 2. Individuals convicted under:
 - PC§286(c)
 - PC§288
 - PC§288a(c)
 - PC§261.5(d)

How did you learn about The Law Office of David J. Givot?

1 Level of Education

2 Employment

3 **Current** Employer: _____

4 Position: _____ Time at Job: _____ Years Months Monthly Salary: \$ _____

5 Certifications/Awards/Recognitions

7 Terms, Agreement, and Billing Information Attorney: David J. Givot Client: _____

8 1) This agreement will not take effect, and Attorney will have no obligation to provide legal services, until Client returns a signed
9 copy of this agreement and pays the \$820.00 initial non-refundable retainer. 2) This Agreement contains the entire agreement of
10 the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on
11 the parties. This agreement may be modified by subsequent Agreement of the parties only by an instrument in writing signed by
12 both of them or an oral agreement only to the extent that the parties carry it out. 3) The legal fee in this case **DOES INCLUDE** court
13 filing fees (up to \$120.00), ALL court appearances, attorney's travel time, time spent conducting research, time spent generating
14 motions and documents, time spent on the telephone, time spent meeting with client, time spent meeting with prosecutors and
15 witnesses, time spent for any investigation *personally conducted by the attorney*, and time spent writing letters. 4) The legal fee
16 in this case **DOES NOT** include appeals or writs. This legal fee **DOES NOT** include costs beyond filing fees. Possible costs may
17 include fees for a private investigator, expert witness, law enforcement fees for obtaining discovery, evidence analysis, and
18 physical exhibits. Attorney will not incur any costs without first securing permission from the client or his agent. 5) Attorney
19 agrees that if the motion is denied by the court, Client shall be entitled to a full refund of the fee minus the actual cost of filing
20 paid to the court. —> 6) CLIENT INITIALS: _____

14 Card Type: _____ Expiration Date: _____/20____ Account# _____/_____/_____/_____
Month Year

15 Name on Card: _____

16 Billing Address: _____
Street City State Zip

17 **\$820.00 Flat Fee – Includes Filing Cost**

18 Cardholder authorizes The Law Office of David J. Givot to charge the below-referenced account the full
19 amount of **\$820.00**. Cardholder further acknowledges receipt of legal services in accordance with this
20 representation agreement and agrees to perform the obligations set forth in the Cardholder's agreement
21 with the issuer.

21 _____
Cardholder Signature Date

22
23 **Please complete this form, print it out,**
24 **and return it via fax to:**
25 **(562) 472-2273**