



Rule 2.86—Form 3: Application to Expunge Public Intoxication Court Records under Iowa Code section 123.46

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 _____

Case no. _____

vs.

Application to Expunge Public Intoxication Court Records under Iowa Code section 123.46

Defendant

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 the above-captioned case pursuant to Iowa Code section 123.46(6). 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. Defendant was convicted for a violation of Iowa Code section 123.46, consumption or intoxication in public places, or of a similar local ordinance on: _____
Month Day Year
2. Defendant has had no criminal convictions other than local traffic violations or simple misdemeanor violations under Iowa Code chapter 321 during the two-year period following the conviction.

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. The record shall not be accessible except by court order.

Continue to next page



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.*

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