



LAND OF ENCHANTMENT LAW | WORKSHEET

Records Worksheet

*Everything You Need to Gather
Before Filing or Before a Consultation*

Expungement is paperwork-intensive but not complicated. The biggest reason eligible people never file is not knowing where to start. Use this worksheet to track what you have, what you still need, and where to get it.



LAW OFFICE OF JOHNN OSBORN, P.C.

LAND OF ENCHANTMENT LAW

Albuquerque • Las Cruces • Santa Fe
505.585.1235 | landofenchantment.law





How to Use This Worksheet

Fill in everything you can on a computer (the fields are interactive) or by hand if printed. Skip what you do not know — those are the items to ask about at a consultation. Most people complete the personal information and case information sections in 15 minutes; actually obtaining the DPS, FBI, and court records takes longer (typically 2–6 weeks).

What You Will Have at the End

- A complete picture of every case you want to expunge
- A clear list of records you still need to request
- Documentation of any consequences the record has caused — useful for the justice-will-be-served narrative on conviction petitions
- A consultation-ready packet that lets an attorney give specific advice on the spot

Your Information

Used only to keep your records organized. If you bring this worksheet to a consultation, the firm will treat all of it as confidential.

Full Legal Name

Other Names Used

Date of Birth

Phone Number

Email Address

Mailing Address

City, State, ZIP

Quick Threshold Check

If any of the following are true today, the petition cannot be filed yet. Mark each box you can answer YES to. If anything is missing, that is the next thing to fix.

- I have **no pending criminal charges** in any state, tribal, or federal jurisdiction.
- I have **paid all fines, fees, and restitution** from every case (including small balances).
- Any probation, parole, or supervised release I was on has been **fully completed**.
- For non-conviction cases:** at least one year has passed since the case ended.
- For conviction cases:** the offense-specific waiting period (2–10 years) has passed since the last sentence ended in *any* jurisdiction.





Case Information

Each case being expunged needs its own filing, so each one gets its own block here. If you have more than two cases, photocopy this page or print extras. Pull what you can from any judgment, sentence, or plea paperwork you have on hand.

Case #1

Court Name

County

Case Number

Date of Arrest

Arresting Agency

Charge(s) Filed

Final Disposition

Disposition Date

Disposition type (check the one that applies):

- Dismissed (charges dropped by court or DA)
- Acquittal / found not guilty at trial
- Nolle prosequi (prosecutor declined to pursue)
- Pre-prosecution diversion completed
- Conditional discharge (no judgment of guilt)
- Motor Vehicle Code deferred sentence (qualifies for non-conviction track)
- Conviction (guilty plea or guilty verdict)
- Criminal-code deferred sentence under § 31-20-3 (treated as conviction)

Notes (sentence completed? fines paid? anything unusual?)





Case Information (continued)

If you have a second case to expunge, fill out the block below. For three or more cases, print extra copies of this page or photocopy after filling in.

Case #2

Court Name

County

Case Number

Date of Arrest

Arresting Agency

Charge(s) Filed

Final Disposition

Disposition Date

Disposition type (check the one that applies):

- Dismissed (charges dropped by court or DA)
- Acquittal / found not guilty at trial
- Nolle prosequi (prosecutor declined to pursue)
- Pre-prosecution diversion completed
- Conditional discharge (no judgment of guilt)
- Motor Vehicle Code deferred sentence (qualifies for non-conviction track)
- Conviction (guilty plea or guilty verdict)
- Criminal-code deferred sentence under § 31-20-3 (treated as conviction)

Notes (sentence completed? fines paid? anything unusual?)

Not Sure Which Disposition Box to Check?

Look at the final order in your case file. The exact wording usually maps to one of the boxes above. Common signals: *"dismissed with prejudice"* or *"dismissed without prejudice"* → Dismissed. *"Nolle prosequi"* or *"declined to prosecute"* → Nolle prosequi. *"Conditional discharge"* with the case dismissed after compliance → Conditional discharge. A *guilty plea* followed by language about deferring sentence under § 31-20-3 → Criminal-code deferred (treated as conviction). A *guilty verdict* at trial or a *plea of guilty* with judgment entered → Conviction. If you can't tell, leave the box blank and ask at your consultation.





Three Records You Need to Request

Every expungement petition requires three records. Both the DPS arrest record and the FBI RAP sheet must be dated within 90 days of when you actually file the petition, so request them in parallel and do not file too early.

1. New Mexico DPS Arrest Record

What it is: your complete New Mexico arrest record, held by the Department of Public Safety Law Enforcement Records Bureau (LERB) in Santa Fe.

How to request:

Mail a notarized DPS Authorization for Release of Information form together with payment (currently \$15) by money order or cashier's check to the LERB. Personal checks are not accepted. Allow 2–4 weeks for the record to come back.

- DPS Authorization for Release of Information form obtained
- Form completed and signed in front of a notary
- Money order or cashier's check for \$15 prepared
- Form and payment mailed to LERB in Santa Fe
- DPS record received and dated within the last 90 days

DPS record date received

2. FBI Identity History Summary ("RAP Sheet")

What it is: your federal criminal history summary, held by the FBI's Criminal Justice Information Services (CJIS) Division.

How to request:

Use the FBI's online portal at edo.cjis.gov to submit fingerprints electronically and pay the \$18 fee. A paper-based option is available but slower. Most people receive results in 1–3 weeks.

- Account created at edo.cjis.gov
- Fingerprints captured (at a participating live-scan location or by mail)
- \$18 fee paid online
- FBI Identity History Summary received and dated within the last 90 days

FBI record date received

3. Court Records for Each Case

What it is: the court file showing the case number, charges, final disposition, sentence (if any), and proof of completion.

How to request:

Most New Mexico court records are publicly available through the court where the case was filed. Albuquerque cases originating in Metro Court are stored there; cases that reached district court are at the Second Judicial District. Bring the case number; if you don't have it, the clerk can look it up by name.

- Judgment, sentence, or order of dismissal obtained for each case
- Proof of probation/parole completion (if applicable)
- Receipts or balance statements showing \$0 owed
- Diversion completion certificate (if applicable)





Impact Narrative

This page is most important for conviction expungement, where the court must find that "justice will be served" before granting the petition. Specifics win — a vague second-chance plea rarely succeeds. For non-conviction expungement, this page is optional but still useful for a consultation.

What to Aim For

Stronger narratives name **specific** consequences: jobs that were denied, housing applications that were rejected, professional licenses that are out of reach, custody or visitation issues that arose, military or educational opportunities that were closed off. If you can attach affidavits from employers, family members, clergy, treatment providers, or community supporters, do so.

Jobs denied, terminated, or never applied for because of the record:

Housing applications rejected or limited:

Professional licenses, certifications, or schooling affected:

Family, custody, or relationship consequences:

Anything else — military, travel, education, finances:

What Has Changed Since the Conviction

Current and recent employment:

Education, training, or certifications since:

Counseling, treatment, or recovery work completed (if applicable):

Community involvement, volunteering, family responsibilities:





Supporting Documents & Affidavits

Affidavits — sworn written statements from people who know you — strengthen conviction petitions significantly. Each affidavit should be from someone who can speak to a specific thing: an employer about your work, a counselor about your treatment, a family member about responsibilities you've taken on, a community member about your reputation. Use this page to track who you've asked and what you've received.

Affidavit Tracker

Name	Relationship	What they speak to	Status

Other Supporting Documents

- Employment verification letters / pay stubs
- Educational transcripts, diplomas, or certificates
- Treatment completion certificates or counselor letters
- Volunteer or community service records
- Military service records (DD-214 or similar)
- Lease or rental application denials referencing the record
- Job application denials or background-check disclosures
- Professional licensing denials or hold notices
- Other (use the field below to describe)

Describe other supporting documents you have or can obtain:





Filing-Day Checklist

Use this checklist immediately before filing. Most petitions that get bounced back are missing one of these items.

- DPS record dated within the last 90 days is in hand
- FBI Identity History Summary dated within the last 90 days is in hand
- Court records for every case being expunged are attached
- Correct petition form: **4-952** for non-conviction, **4-953** for conviction
- Form is the December 2025 version (older versions are rejected)
- Petition covers only one case number (separate petitions for separate cases)
- Notice of hearing form (4-960.1) has caption filled in but not date/time
- Form 4-222 attached if requesting fee waiver
- \$132 filing fee prepared (cash, cashier's check, or money order)
- Self-addressed stamped envelope included for hearing notice
- Filing at the **district** court (not metro or magistrate)
- Correct judicial district for where the case originated
- Copies prepared: one for judge, one for personal records, one per agency to be served

Service of Process (After Filing)

- DA's office served by certified mail, return receipt requested
- NM DPS (LERB) served by certified mail, return receipt requested
- Arresting law enforcement agency served by certified mail, return receipt requested
- All certified mail receipts returned and saved
- Certificate of Service filed with the court

Questions to Ask at Your Consultation

Bring this list with you. Adjust based on what the attorney covers.

- Am I eligible based on what I have shown you?
- Should I file under the conviction or non-conviction track?
- How should I count my waiting period given my full history?
- Are there any records I'm missing or that look problematic?
- What is your flat fee for this kind of case, and what does it include?
- What does it not include — appeals, contested hearings, additional cases?
- How long do you expect this to take from start to finish?
- If the DA objects, what is your strategy and what does that change about the cost?
- What can I do now to make the petition stronger?
- Are there any related issues — gun rights, professional licensing — to address separately?

Free Consultation

Bring this completed worksheet (or as much as you have filled in) to a free consultation. **Land of Enchantment Law** | 505.585.1235 | landofenchantment.law

Disclaimer. This worksheet is a tool for organizing your own records. It is not legal advice and using it does not create an attorney-client relationship. Eligibility for expungement turns on the specific facts of each case; consult a qualified New Mexico attorney about your situation.

