STATE OF LOUISIANA **NO. _____ DIV ____**

_____ JUDICIAL DISTRICT COURT

VERSUS

PARISH OF_____

_____ **STATE OF LOUISIANA**

MOTION FOR EXPUNGEMENT

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

I. DEFENDANT INFORMATION

NAME: _____ _____ _____
(Last Name) *(First Name)* *(Middle Initial)*

DOB: _____/_____/_____ (MM/DD/YYYY)

GENDER: _____ Female _____Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.#: _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN):_____

AGENCY ITEM NO: _____

Mover is entitled to expunge the record of his arrest/conviction pursuant to Louisiana Code of Criminal Procedure 971 et seq. and states the following in support:

II. ARREST INFORMATION

1. Mover was arrested on _____/_____/_____ (MM/DD/YYYY)

2. ☐ YES ☐ NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.

3. Mover was:

☐ YES ☐ NO Arrested, but it did not result in conviction
☐ YES ☐ NO Convicted of and seeks to expunge a misdemeanor
☐ YES ☐ NO Convicted of and seeks to expunge a felony
☐ YES ☐ NO Convicted but determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8

4. Mover was booked and/or charged with the following offenses: (List each offense booked and charged separately. **Please number each item numerically beginning with Number 1.** Attach a supplemental sheet, if necessary.)

☐ **Yes** ☐ **No** **ARRESTS THAT DID NOT RESULT IN CONVICTION**

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

☐ Time expired for prosecution _____/_____/_____ (MM/DD/YYYY)
☐ Not prosecuted for any offense arising out of this charge
☐ Pre-trial Diversion Program
☐ DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest
☐ Charge dismissed
☐ Found not guilty/judgment of acquittal

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Time expired for prosecution _____/_____/_____ (MM/DD/YYYY)
- ☐ Not prosecuted for any offense arising out of this charge
- ☐ Pre-trial Diversion Program
- ☐ DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest
- ☐ Charge dismissed
- ☐ Found not guilty/judgment of acquittal

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Time expired for prosecution _____/_____/_____ (MM/DD/YYYY)
- ☐ Not prosecuted for any offense arising out of this charge
- ☐ Pre-trial Diversion Program
- ☐ DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest
- ☐ Charge dismissed
- ☐ Found not guilty/judgment of acquittal

☐ **Yes** ☐ **No** **MISDEMEANOR CONVICTIONS**

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Conviction set aside/dismissed _____/_____/_____
  Pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
- ☐ More than 5 years have passed since complete of sentence.

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Conviction set aside/dismissed _____/_____/_____
  Pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
- ☐ More than 5 years have passed since complete of sentence.

☐ **Yes** ☐ **No** **FELONY CONVICTIONS**

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Conviction set aside/dismissed _____/_____/_____
  Pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)
- ☐ More than 10 years have passed since complete of sentence.
- ☐ Entitled to a first offender pardon for the offense pursuant to Louisiana Constitution Article IV, Section 5(E)(1), provided that the offense is not defined as a crime of violence pursuant to R.S. 14:2(B) or a sex offense pursuant to R.S. 15:541.

NO. _____ La. Rev. Stat. Ann. § _____ : _____
Name of the offense _____

- ☐ Conviction set aside/dismissed _____/_____/_____
  Pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)
- ☐ More than 10 years have passed since complete of sentence.
- ☐ Entitled to a first offender pardon for the offense pursuant to Louisiana Constitution Article IV, Section 5(E)(1), provided that the offense is not defined as a crime of violence pursuant to R.S. 14:2(B) or a sex offense pursuant to R.S. 15:541.

☐ **Yes** ☐ **No** **OPERATING A MOTOR VEHICLE WHILE INTOXICATED CONVICTIONS**

Mover has attached the following:

☐ A certified letter of compliance in accordance with C.Cr.P. Art. 984 from the Department of Public Safety and Corrections, office of motor vehicles that it has received from the clerk of court a certified copy of the record of the plea, fingerprints of the defendant, and proof of the requirements set forth in C.Cr.P.Art. 556, which shall include the defendant's date of birth, last four digits of social security number, and driver's license number

5..Mover has attached to this Motion the following pertinent documents:

- ☐ Criminal Background Check from the La. State Police/Parish Sheriff dated within the past 60 days (required).
- ☐ Bill(s) of Information (if any).
- ☐ Minute entry showing final disposition of case (if any).
- ☐ Certification Letter from the District Attorney for fee waiver (if eligible).
- ☐ Certification Letter from the District Attorney verifying that the applicant has no convictions or pending applicable criminal charge in the requisite time periods.
- ☐ Certification Letter from the District Attorney verifying that the charges were refused.
- ☐ Certification Letter from the District Attorney verifying that the applicant did not participate in a pretrial diversion program.
- ☐ A copy of the order waiving the sex offender registration and notification requirements.
- ☐ Documentation verifying that the mover has been employed for ten consecutive years.
- ☐ A copy of the court order determination of factual innocence and order of compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8 if applicable.

☐ **Yes** ☐ **No** Mover was arrested with another individual.

The Mover prays that if there is no objection timely filed by the arresting law enforcement agency, the district attorney's office, or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the expungement of the record of arrest and/or conviction set forth above, including all photographs, fingerprints, disposition, or any other such information, which record shall be confidential and no longer considered a public record, nor be made available to other persons, except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing, certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541, et seq. or as an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

If an "Affidavit of No Opposition" by each agency named herein is attached hereto and made a part hereof, Defendant requests that no contradictory hearing be required and the Motion be granted ex parte.

Respectfully submitted,

_____
Signature of Attorney for Mover/Defendant

_____
Print Name of Attorney

_____
Attorney's Bar Roll No.

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number

If not represented by counsel:

_____
Signature of Mover/Defendant

_____
Print Name

_____
Address

_____
City, State, ZIP Code

_____
Telephone Number