

STATE OF LOUISIANA  
CITY COURT OF LAFAYETTE, LOUISIANA  
PARISH OF LAFAYETTE

No.(s): \_\_\_\_\_

Division: “ \_\_\_\_\_ ”

STATE OF LOUISIANA/CITY OF LAFAYETTE

VS.

\_\_\_\_\_  
DEFENDANT

**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, First, MI)*

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 NUMBER: \_\_\_\_\_

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 booked and/or charged with the following offenses: (List each offense booked and charged separately:

- a. L.R.S./L.C.G. Ord. § \_\_\_\_:\_\_\_\_, Offense: \_\_\_\_\_
- b. L.R.S./L.C.G. Ord. § \_\_\_\_:\_\_\_\_, Offense: \_\_\_\_\_
- c. L.R.S./L.C.G. Ord. § \_\_\_\_:\_\_\_\_, Offense: \_\_\_\_\_
- d. L.R.S./L.C.G. Ord. § \_\_\_\_:\_\_\_\_, Offense: \_\_\_\_\_
- e. L.R.S./L.C.G. Ord. § \_\_\_\_:\_\_\_\_, Offense: \_\_\_\_\_

2. Date of Offense: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(MM/DD/YYYY)

( ) Check if applicable: Mover was arrested on a warrant (example: Bench warrant, Arrest Warrant, Fugitive warrant etc.) for the above charge(s) on a date after the date of the offense. That date was: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(MM/DD/YYYY)

3. As to the above charges, Mover was (Answer all):

- \_\_\_\_ YES \_\_\_\_ NO Arrested, but it did not result in conviction (List these charges in Section A below)
- \_\_\_\_ YES \_\_\_\_ NO Convicted of and seeks to expunge a misdemeanor (List these charges in Section B below)
- \_\_\_\_ YES \_\_\_\_ NO Convicted of and seeks to expunge a felony (List these charges in Section C below)
- \_\_\_\_ YES \_\_\_\_ NO Convicted of an Operating A Motor Vehicle While Intoxicated Charge (See paragraph "4." of this motion)
- \_\_\_\_ YES \_\_\_\_ NO Mover was arrested with another individual

**SECTION A. ARRESTS THAT DID NOT RESULT IN CONVICTION**

**Please number each item numerically beginning with number 1. Attach a supplemental sheet, if necessary.**

**\_\_\_\_ YES \_\_\_\_ NO A supplemental sheet with arrests and/or convictions is attached after the last page of this Motion.**

**ITEM NO. \_\_\_\_\_**

L.R.S. /L.C.G. Ord. § \_\_\_\_\_:

Name of offense: \_\_\_\_\_

Date(s) of Arrest: \_\_\_\_\_  
(MM/DD/YYYY) (MM/DD/YYYY)

( ) Time expired for prosecution: \_\_\_\_\_  
(MM/DD/YYYY)

- ( ) Original charge was not prosecuted (or was dismissed) and arrest **did not** result in prosecution for lesser charge arising out of this charge.
  - ( ) **Charge was not a DWI** but dismissal was pursuant to completion of a Pre-trial Diversion Program.
  - ( ) **Charge was a DWI** and Dismissal was pursuant to completion of a Pre-trial Diversion Program and 5 years have elapsed since the date of arrest.
- ( ) Original charge was not prosecuted (or was dismissed) but arrest **did** result in prosecution of lesser or amended charge. The lesser or amended charge is also being expunged and is listed on this motion as item #\_\_\_\_\_.
- ( ) Found not guilty/judgment of acquittal on this charge.
- ( ) Found not guilty/judgment of acquittal on this charge but was convicted of a lesser offense. See Item \_\_\_\_\_ (if conviction of lesser offense is also being expunged).

**ITEM NO.** \_\_\_\_\_

L.R.S. /L.C.G. Ord. § \_\_\_\_\_: \_\_\_\_\_

Name of offense: \_\_\_\_\_

Date(s) of Arrest: \_\_\_\_\_  
 (MM/DD/YYYY) (MM/DD/YYYY)

( ) Time expired for prosecution: \_\_\_\_\_  
 (MM/DD/YYYY)

- ( ) Original charge was not prosecuted (or was dismissed) and arrest **did not** result in prosecution for lesser charge arising out of this charge.
  - ( ) **Charge was not a DWI** but dismissal was pursuant to completion of a Pre-trial Diversion Program.
  - ( ) **Charge was a DWI** and Dismissal was pursuant to completion of a Pre-trial Diversion Program and 5 years have elapsed since the date of arrest.
- ( ) Original charge was not prosecuted (or was dismissed) but arrest **did** result in prosecution of lesser or amended charge. The lesser or amended charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_.
- ( ) Found not guilty/judgment of acquittal on this charge.
- ( ) Found not guilty/judgment of acquittal on this charge but was convicted of a lesser offense. See Item \_\_\_\_\_ (if conviction of lesser offense is also being expunged).

**ITEM NO.** \_\_\_\_\_

L.R.S. /L.C.G. Ord. § \_\_\_\_\_: \_\_\_\_\_

Name of offense: \_\_\_\_\_

Date(s) of Arrest: \_\_\_\_\_  
 (MM/DD/YYYY) (MM/DD/YYYY)

( ) Time expired for prosecution: \_\_\_\_\_  
 (MM/DD/YYYY)

- ( ) Original charge was not prosecuted (or was dismissed) and arrest **did not** result in prosecution for lesser charge arising out of this charge.

- ( ) **Charge was not a DWI** but dismissal was pursuant to completion of a Pre-trial Diversion Program.
- ( ) **Charge was a DWI** and Dismissal was pursuant to completion of a Pre-trial Diversion Program and 5 years have elapsed since the date of arrest.
- ( ) Original charge was not prosecuted (or was dismissed) but arrest **did** result in prosecution of lesser or amended charge. The lesser or amended charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_.
- ( ) Found not guilty/judgment of acquittal on this charge.
- ( ) Found not guilty/judgment of acquittal on this charge but was convicted of a lesser offense. See Item \_\_\_\_\_ (if conviction of lesser offense is also being expunged).

**Section B. ARRESTS THAT DID RESULT IN MISDEMEANOR CONVICTION**

**Please number each item numerically beginning with the next number after the last number used in Section A above. Attach a supplemental sheet, if necessary.**

**\_\_\_\_\_ YES \_\_\_\_\_ NO A supplemental sheet with arrests and/or convictions is attached after the last page of this Motion.**

**ITEM NO. \_\_\_\_\_**

L.R.S. /L.C.G. Ord. § \_\_\_\_\_: \_\_\_\_\_

Name of original offense: \_\_\_\_\_

Name of offense convicted (if different): \_\_\_\_\_

Yes / No: The original charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_. (If applicable)

Date(s) of Arrest: \_\_\_\_\_ (MM/DD/YYYY) \_\_\_\_\_ (MM/DD/YYYY)

Date of Conviction: \_\_\_\_\_ (MM/DD/YYYY)

( ) Conviction set aside/dismissed \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)

( ) More than 5 years have passed since completion of sentence.

**ITEM NO. \_\_\_\_\_**

L.R.S. /L.C.G. Ord. § \_\_\_\_\_: \_\_\_\_\_

Name of original offense: \_\_\_\_\_

Name of offense convicted (if different): \_\_\_\_\_

Yes / No: The original charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_. (If applicable)

Date(s) of Arrest: \_\_\_\_\_ (MM/DD/YYYY) \_\_\_\_\_ (MM/DD/YYYY)

Date of Conviction: \_\_\_\_\_ (MM/DD/YYYY)

- ( ) Conviction set aside/dismissed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
- ( ) More than 5 years have passed since completion of sentence.

**ITEM NO.** \_\_\_\_\_

L.R.S. /L.C.G. Ord. § \_\_\_\_\_: \_\_\_\_\_

Name of original offense: \_\_\_\_\_

Name of offense convicted (if different): \_\_\_\_\_

Yes / No: The original charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_. (If applicable)

Date(s) of Arrest: \_\_\_\_\_  
(MM/DD/YYYY) (MM/DD/YYYY)

Date of Conviction: \_\_\_\_\_  
(MM/DD/YYYY)

- ( ) Conviction set aside/dismissed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
- ( ) More than 5 years have passed since completion of sentence.

**Section C. ARRESTS THAT RESULTED IN FELONY CONVICTIONS**

Please number each item numerically beginning with the next number after the last number used above. Attach a supplemental sheet, if necessary.

\_\_\_\_ YES \_\_\_\_ NO A supplemental sheet with arrests and/or convictions is attached after the last page of this Motion.

**ITEM NO.** \_\_\_\_\_

La. Rev. Stat. Ann.§ \_\_\_\_\_ : \_\_\_\_\_

Name of original offense: \_\_\_\_\_

Name of offense convicted (if different): \_\_\_\_\_

Yes / No: The original charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_. (If applicable)

Date(s) of Arrest: \_\_\_\_\_  
(MM/DD/YYYY) (MM/DD/YYYY)

- ( ) Conviction set aside/dismissed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)
- ( ) More than 10 years have passed since completion of sentence.

**ITEM NO.** \_\_\_\_\_

La. Rev. Stat. Ann.§ \_\_\_\_\_ : \_\_\_\_\_

Name of original offense: \_\_\_\_\_

Name of offense convicted (if different): \_\_\_\_\_

Yes / No: The original charge is also being expunged and is listed on this motion as item no. \_\_\_\_\_. (If applicable)

Date(s) of Arrest: \_\_\_\_\_  
(MM/DD/YYYY) (MM/DD/YYYY)

( ) Conviction set aside/dismissed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)

( ) More than 10 years have passed since completion of sentence.

4. If convicted of an Operating a Motor Vehicle While Intoxicated Charge, 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. **Note:** This letter will be obtained by the Court but Mover will need to check with the court to obtain fingerprints and will also need to pay any additional fees due to the OMV for this certificate.

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 30 days (required).
- Bill(s) of Information (if any).
- Certification Letter from the District Attorney for fee waiver (if eligible).
- Certified Minutes of plea and sentence final disposition from Clerk of Court (Obtain from Clerk of Court's office).
- Certification Letter from the District Attorney verifying that the applicant has no convictions or pending applicable criminal charges 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.

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

Investigation 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, or if the time periods for requesting a contradictory hearing has elapsed and no such hearing has been requested by any agency named herein, Defendant requests that no contradictory hearing be required and the Motion be granted ex parte.

Respectfully submitted,

\_\_\_\_\_  
Signature of Attorney for Mover/Defendant

\_\_\_\_\_  
Attorney for Mover/Defendant Name

\_\_\_\_\_  
Attorney's Bar Roll No.

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, ZIP Code

\_\_\_\_\_  
Telephone Number

**IF NOT REPRESENTED BY COUNSEL:**

\_\_\_\_\_  
Signature of Mover/Defendant

\_\_\_\_\_  
Mover/Defendant Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, ZIP Code

\_\_\_\_\_  
Telephone Number