

## **EXPUNGEMENT PROCEDURES Act 145 –Effective August 1, 2014**

Costs At Time of Filing (These fees are nonrefundable)

1. \$200.00 money order payable to Bossier Parish Clerk of Court
2. \$250.00 money order payable to Louisiana Bureau of Criminal Identification/Information
3. \$ 50.00 money order payable to Bossier Parish Sheriff
4. \$ 50.00 money order payable to Bossier Parish District Attorney

### **GENERAL INFORMATION:**

- By law, the Clerk of Court shall not provide any legal advice on how to prepare legal documents. You will either need to speak to an attorney or research the Louisiana law books to determine what information should be included in the motion.
- Once a motion is filed with the Clerk of Court, it will be forwarded to a Judge for review, and a hearing date may be set. You and/or your attorney will need to be present in court on that day. The Clerk of Court will mail a notice of the court date, so please include a valid mailing address on the original motion
- If the Judge grants the expungement, you will need to present him/her with the Order for Expungement of Arrest/Conviction Record to sign in open court.
- If the expungement is granted, you will need to obtain certified copies of any filings needed. Certified copies are \$1.00 per page plus an additional \$5.00 for certification of each copy. Please be sure to obtain an adequate number of copies, as you may be unable to obtain copies once the files have been removed from public record.
- The State of Louisiana, the District Attorney and the Sheriff will be served with a copy of the Judgment, but you will be responsible for serving any other agency with information about your charge on file.
- An expungement must be filed for EACH arrest.
- Please allow 6 months for the completion of your expungement.

### **FORMS:**

Forms provided by the Louisiana Supreme Court are available on our website at <http://www.bossierclerk.com> on the Criminal Court page. These forms may be filled out online and printed, or printed and filled out by hand. Please have your forms prepared in advance to save time and make your visit shorter. We have provided form packets online for each type of expungement for your convenience.

## **EXPUNGEMENT CHECKLIST**

### **PLEASE KEEP THESE FORMS IN ORDER**

#### **Items to Attach to Motion for Expungement**

- \$200.00 Money order payable to Bossier Parish Clerk of Court
- \$250.00 Money Order payable to Louisiana Bureau of Criminal Identification/Information
- Copy of Motion for Expungement for Louisiana Bureau of Criminal Identification/Information
- \$50.00 Money Order payable to Bossier Parish Sheriff
- Copy of Motion for Expungement for Bossier Parish Sheriff
- \$50.00 Money Order payable to Bossier Parish District Attorney
- Copy of Motion for Expungement for Bossier Parish District Attorney
- Rule to Show Cause
- Order(s) (Depends on type of expungement)
- Criminal Background Check from Bossier Parish Sheriff's Office dated within the past sixty (60) days. (Fee may be required)
- Bill of Information from the Bossier Parish Clerk of Court
- Case Minutes from the Bossier Parish Clerk of Court

#### **Items that may be required from the Bossier Parish Clerk of Court:**

- For DWI with granted Article 894: Copy of letter from the Louisiana Department of Public Safety and Corrections, Office of Motor Vehicles
- Copy of Order waiving the Sex Offender Registration and Notification Requirements

#### **Items that may be required from the Bossier Parish District Attorney's Office:**

- Certification Letter for Fee Waiver (if eligible)
- Certification Letter verifying that applicant has no convictions or pending applicable criminal charge in the requisite time periods.
- Certification Letter verifying that the charges were refused.
- Certification Letter verifying that the applicant did not participate in a Pretrial

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

STATE OF LOUISIANA

**MOTION TO SET ASIDE CONVICTION AND  
DISMISS PROSECUTION**

NOW INTO HONORABLE COURT, comes

☐

Defendant, OR

☐

Defendant through undersigned Counsel,

who moves that the conviction pursuant to Louisiana Code of Criminal Procedure

☐

894(B) Misdemeanors, OR

☐

893(E) Felonies

in the above numbered case be set aside and that the prosecution dismissed in accordance with the Code of Criminal Procedure in  
that the period of the deferred sentence has run and petitioner has successfully completed the terms of his probation.

The mover is further identified below:

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

CHARGE: \_\_\_\_\_

DATE OF ARREST: \_\_\_\_\_

ARRESTING AGENCY: \_\_\_\_\_

CITY/PARISH OF ARREST: \_\_\_\_\_

The Mover prays that, after a contradictory hearing with the District Attorney's Office, the Court order the above numbered case  
be set aside and that the prosecution dismissed in accordance with the Code of Criminal Procedure.

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

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

\_\_\_\_\_

STATE OF LOUISIANA

**RULE TO SHOW CAUSE**

**IT IS HEREBY ORDERED** that the District Attorney show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_m why the foregoing motion should not be granted.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ at \_\_\_\_\_, Louisiana, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE:**

1. District Attorney: \_\_\_\_\_
2. Attorney for Defendant and/or Defendant \_\_\_\_\_

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

\_\_\_\_\_

STATE OF LOUISIANA

**ORDER OF DISMISSAL**

Considering the Motion to Set Aside Conviction and Dismiss Prosecution, the hearing conducted on the representation of the State of Louisiana of its consent hereto, and that there is no opposition for any good cause appearing herein;

**IT IS ORDERED, ADJUDGED AND DECREED** that this conviction is set aside and the prosecution dismissed for purposes of expungement.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE:**

1. District Attorney: \_\_\_\_\_

2. Attorney for Defendant and/or Defendant: \_\_\_\_\_

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

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  
☐ YES ☐ NO  
☐ YES ☐ NO  
☐ YES ☐ NO

Arrested, but it did not result in conviction  
Convicted of and seeks to expunge a misdemeanor  
Convicted of and seeks to expunge a felony  
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  
☐ 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  
☐ 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.  
☐ Received a first offender pardon for an eligible offense.

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.  
☐ Received a first offender pardon for an eligible offense.

☐ 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 a first offender pardon.
- ☐ A copy of the order waiving the sex offender registration and notification requirements.
- ☐ 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



**SUPPLEMENTAL SHEET**

\_\_\_ 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)  
☐ Charge refused by DA - not prosecuted.  
☐ Pre-trial Diversion Program.  
☐ Charge dismissed  
☐ Found not guilty/judgment of acquittal

NO. \_\_\_\_\_ La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_  
Name of the offense \_\_\_\_\_  
☐ Time expired for prosecution \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(MM/DD/YYYY)  
☐ Charge refused by DA - not prosecuted.  
☐ Pre-trial Diversion Program.  
☐ Charge dismissed  
☐ Found not guilty/judgment of acquittal

NO. \_\_\_\_\_ La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_  
Name of the offense \_\_\_\_\_  
☐ Time expired for prosecution \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(MM/DD/YYYY)  
☐ Charge refused by DA - not prosecuted.  
☐ Pre-trial Diversion Program.  
☐ Charge dismissed  
☐ Found not guilty/judgment of acquittal

NO. \_\_\_\_\_ La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_  
Name of the offense \_\_\_\_\_  
☐ Time expired for prosecution \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(MM/DD/YYYY)  
☐ Charge refused by DA - not prosecuted.  
☐ Pre-trial Diversion Program.  
☐ Charge dismissed  
☐ Found not guilty/judgment of acquittal

NO. \_\_\_\_\_ La. Rev. Stat. Ann. § \_\_\_\_\_ : \_\_\_\_\_  
Name of the offense \_\_\_\_\_  
☐ Time expired for prosecution \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(MM/DD/YYYY)  
☐ Charge refused by DA - not prosecuted.  
☐ Pre-trial Diversion Program.  
☐ Charge dismissed  
☐ Found not guilty/judgment of acquittal

**SUPPLEMENTAL SHEET**

\_\_\_\_\_ **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 completion of sentence  
Received a first offender pardon for an eligible offense

**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 completion of sentence  
Received a first offender pardon for an eligible offense

**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 completion of sentence  
Received a first offender pardon for an eligible offense

**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 completion of sentence  
Received a first offender pardon for an eligible offense

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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 completion of sentence  
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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 completion of sentence  
Received a first offender pardon for an eligible offense

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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 completion of sentence  
Received a first offender pardon for an eligible offense

**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 completion of sentence  
Received a first offender pardon for an eligible offense

**SUPPLEMENTAL SHEET**

\_\_\_\_ 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 completion 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 completion 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 completion 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 completion 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 completion 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 completion 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 completion of sentence.

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

\_\_\_\_\_

STATE OF LOUISIANA

**RULE TO SHOW CAUSE**

**IT IS HEREBY ORDERED** that the District Attorney show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_m why the foregoing motion should not be granted.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ at \_\_\_\_\_, Louisiana, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE:**

1. District Attorney: \_\_\_\_\_

2. Attorney for Defendant and/or Defendant \_\_\_\_\_

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

STATE OF LOUISIANA

**AFFIDAVIT OF RESPONSE**

Pursuant to Louisiana Code of Criminal Procedure Article 980, the District Attorney for the Parish of \_\_\_\_\_ acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

**OR**

Pursuant to Louisiana Code of Criminal Procedure Article 980, the Louisiana Bureau of Criminal Identification and Information acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

**OR**

Pursuant to Louisiana Code of Criminal Procedure Article 980, the arresting law enforcement agency \_\_\_\_\_ acknowledges the following:

☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.

☐ **Opposition to the Motion of Expungement with Reasons.** Respondent respectfully requests a contradictory hearing.

Respectfully submitted,

\_\_\_\_\_  
Signature of District Attorney

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Louisiana Bureau of Criminal  
Identification and Information

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of the Arresting Law Enforcement  
Agency

\_\_\_\_\_  
Print Name

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

STATE OF LOUISIANA

**ORDER**

**IT IS HEREBY ORDERED,**

If there is an objection to the Motion for Expungement, the district attorney and the arresting law enforcement agency shall file a motion to object within sixty days of the service of this Order.

If the Louisiana Bureau of Criminal Identification and Information objects to the Motion for Expungement, they shall file a motion within 60 days of service of this order

**NO CONTRADICTORY HEARING SHALL BE REQUIRED** as evidenced by the "Affidavit of No Opposition" executed by each agency named herein and attached to the Motion for Expungement.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_ at \_\_\_\_\_, Louisiana, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE THE FOLLOWING:**

1) District Attorney: \_\_\_\_\_  
(Name and Address)

2) LA Bureau of Criminal Identification and Information: Louisiana State Police,  
Superintendent of Records, 7919 Independence Blvd., Baton Rouge, LA 70806

3) Arresting Agency: \_\_\_\_\_  
(Name and Address)

**CERTIFICATE OF SERVICE**

Pursuant to LA CCrP Article 979, I hereby certify that I have served the foregoing Motion for Expungement, Affidavit of Response and Order to the named entities as listed above on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by:

☐ Placing in U.S. Mail

☐ Electronic Transmission

\_\_\_\_\_  
Deputy Clerk of Court

Parish of \_\_\_\_\_

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

STATE OF LOUISIANA

**ORDER OF EXPUNGEMENT OF ARREST/CONVICTION RECORD**

Considering the Motion for Expungement

- ☐ The hearing conducted and evidence adduced herein, OR
- ☐ Affidavits of No Opposition filed,

**IT IS ORDERED, ADJUDGED AND DECREED**

**THE MOTION IS DENIED** for No(s). \_\_\_\_\_ for the following reasons (check all that apply):

- ☐ More than five years have not elapsed since Mover completed the misdemeanor conviction sentence.
- ☐ More than ten years have not elapsed since Mover completed the felony conviction sentence.
- ☐ Mover was convicted of one of the following ineligible felony offenses:
- ☐ A violation of the Uniform Controlled Dangerous Substances Law which is ineligible to be expunged.
- ☐ An offense currently listed as a sex offense that requires registration pursuant to La. Rev. Stat. Ann. 15:540 et seq., at the time the Motion was filed, regardless of whether the duty to register was ever imposed.
- ☐ An offense defined or enumerated as a "crime of violence" pursuant to La. Rev. Stat. Ann. 14:2(B) at the time the motion was filed.
- ☐ The arrest and conviction being sought to have expunged is for operating a motor vehicle while intoxicated and a copy of the proof from the Department of Public Safety and Corrections, office of motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).
- ☐ Mover was convicted of a misdemeanor which arose from circumstances involving or is the result of an arrest for a sex offense as defined in R.S. 15:541.
- ☐ Mover was convicted of a domestic abuse battery.
- ☐ Mover was convicted of misdemeanor stalking as defined in R.S. 14:40.2
- ☐ Mover did not complete pretrial diversion.
- ☐ The charges against the mover were not dismissed or refused.
- ☐ Mover's felony conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 893(E).
- ☐ Mover's misdemeanor conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 894(B).
- ☐ Mover completed a DWI pretrial diversion program, but five years have not elapsed since the mover's date of arrest.
- ☐ Mover's conviction for felony carnal knowledge of a juvenile is not defined as misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after August 15, 2001.

- ☐ **THE MOTION IS HEREBY GRANTED** for No(s). \_\_\_\_\_ and all agencies are ordered to expunge the record of arrest/conviction and any photographs, fingerprints, or any other such information of any kind maintained in connection with the Arrest(s)/Conviction(s) in the above captioned matter, which record shall be confidential and no longer considered a public record, nor be 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. §541, et seq. or upon an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

NAME: \_\_\_\_\_ (Last Name) \_\_\_\_\_ (First Name) \_\_\_\_\_ (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: \_\_\_\_\_

ARREST DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YYYY)

**THUS ORDERED AND SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_  
at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE THE FOLLOWING:**

1. District Attorney: \_\_\_\_\_  
(Name and Address)

2. Louisiana Bureau of Criminal Identification and Information: Louisiana State Police, Superintendent of Records, 7919 Independence Blvd., Baton Rouge, LA 70806

3. Arresting Agency: \_\_\_\_\_  
(Name and Address)

4. Sheriff: \_\_\_\_\_  
(Name and Address)

5. Attorney for Defendant (or defendant): \_\_\_\_\_  
\_\_\_\_\_  
(Name and Address)

6. Clerk of Court: \_\_\_\_\_  
(Name and Address)

**CERTIFICATE OF SERVICE**

Pursuant to LA CCrP Article 979, I hereby certify that I have served the foregoing Order of Expungement to the named entities as listed above on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

☐ Placing in U.S. Mail

☐ Electronic Transmission

\_\_\_\_\_  
Deputy Clerk of Court

Parish of \_\_\_\_\_

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF \_\_\_\_\_

STATE OF LOUISIANA

**CERTIFICATION OF FEE WAIVER**

*To be completed by defendant and submitted to the District Attorney's Office prior to filing. Append completed form to Motion of Expungement at filing only if eligible.*

DEFENDANT NAME	
DATE OF BIRTH	
SSN# (last 4 digits)	XXX-XX-
DATE OF ARREST	
DOCKET NUMBER	
CHARGE	

In accordance with Louisiana Code of Criminal Procedure Article 983, the Office of the District Attorney has reviewed the available databases and determined that:

*(Check all that apply. To be completed by authorized personnel from the District Attorney's Office and returned within 15 days to defendant.):*

☐ The arrestee listed above has NO FELONY CONVICTIONS.

**AND**

☐ The arrestee listed above has NO PENDING FELONY CHARGES UNDER A BILL OF INDICTMENT OR INFORMATION.

**AND**

☐ The arrestee listed above WAS ACQUITTED after trial of all charges derived from the arrest listed above, including any lesser and included offense.

**OR**

☐ The arrestee listed above WAS NOT PROSECUTED WITHIN THE TIME LIMITATIONS prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure and the arrestee did not participate in a pretrial diversion program for the arrest listed above.

**OR**

☐ The case involving the arrestee listed above was dismissed or the district attorney declined to prosecute the case prior to the time limitations prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure, and the arrestee did not participate in a pretrial diversion program.

**OR**

☐ The arrestee listed above has been determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8.

**OR**

☐ The arrestee listed above is a juvenile who has successfully completed any juvenile drug court program and is exempt from fees pursuant to Code of Criminal Procedure Article 983 (G).

\_\_\_\_\_  
District Attorney or his designee - Print Name

\_\_\_\_\_  
District Attorney or his designee - Signature

\_\_\_\_\_, 20\_\_\_\_\_  
Date