

Cause Number: _____
The Clerk's Office provides this number when the Petition is filed)

Ex Parte:

In the

Court Number

Leave Court Number blank. The
Clerk's Office provides the Court
number when the Petition is filed.

- District Court
 County Court
 Justice Court

(Your Initials, example: M.K.S.)

An Adult

_____ County, Texas
(County where arrest/charges occurred)

Petition for Expunction of Criminal Records (Charges not Filed)

I respectfully ask the Court to order the expunction of all criminal records and files arising out of my arrest or arrests described in this Petition. This Petition is filed pursuant to Texas Code of Criminal Procedure Article 55.

1. Information about Petitioner

My name is: _____
(Print full legal name)

I have also been known by the following names and aliases: *(Include prior names, nicknames and aliases, especially if your arrest records reflect a different name than your current full legal name. Leave blank if you do not have any aliases or prior names.)*

My gender is: male female

My race is: _____
(Use DPS description if available)

My date of birth is: ____ / ____ / ____

My driver's license number is: _____ State: _____

or I do not have a driver's license number.

My state identification (SID) number is: _____ State: _____

or I do not have a state identification (SID) number.

My social security number is: _____

or I do not have a social security number.

2. Information about Petitioner's Arrest #1

I was arrested on: ____ / ____ / ____
(Exact date as listed on arresting agency's paperwork)

I was arrested by this law enforcement agency:

(List the arresting agency and not an individual officer's name; example: Austin Police Department.)

I was arrested in _____, _____ County, Texas.
(City) (County)

My address **at the time of this arrest** was:

Street Address _____ City _____ State _____ Zip _____

My DPS tracking incident number for this arrest is: _____

or No TRN assigned.

3. Information about Charge or Charges (not Filed) Against Petitioner, Arrest # 1

1st Offense Charged: _____
(Describe exactly as written by DPS)

- a. Cause number and Court: _____
- b. Date offense allegedly occurred: _____ / _____ / _____
- c. No information or indictment charging me with the commission of an offense was ever presented at any time following the arrest, **and**: *(check the applicable box and fill in applicable information)*
 - c(1) the offense is punishable as a Class C misdemeanor, and at least 180 days have elapsed from the date of arrest, **or**
 - c(2) the offense is punishable as a Class A or Class B misdemeanor and at least 1 year has elapsed from the date of arrest, **or**
 - c(3) the offense is punishable as a felony and at least 3 years have elapsed from the date of arrest, **or**
 - c(4) The statute of limitation for this offense has passed before the filing of this petition. The statute of limitation for this offense is _____ years.

(If there were no additional offenses resulting from this arrest, skip to "4. Information About Other Arrest(s) is Attached")

2nd Offense Charged: _____
(Describe exactly as written by DPS or in dismissal order)

- a. Cause number and Court: _____
- b. Date offense allegedly occurred: _____ / _____ / _____
- c. No information or indictment charging me with the commission of an offense was ever presented at any time following the arrest, **and**: *(check the applicable box and fill in applicable information)*

- c(1) the offense is punishable as a Class C misdemeanor, and at least 180 days have elapsed from the date of arrest, **or**
- c(2) the offense is punishable as a Class A or Class B misdemeanor and at least 1 year has elapsed from the date of arrest, **or**
- c(3) the offense is punishable as a felony and at least 3 years have elapsed from the date of arrest, **or**
- c(4) The statute of limitation for this offense has passed before the filing of this petition. The statute of limitation for this offense is _____ years.

(If there were no additional offenses resulting from this arrest, skip to "4. Information About Other Arrest(s) is Attached")

3rd Offense Charged: _____
(Describe exactly as written by DPS or in dismissal order)

- a. Cause number and Court: _____
- b. Date offense allegedly occurred: ____ / ____ / ____
- c. No information or indictment charging me with the commission of an offense was ever presented at any time following the arrest, **and**: *(check the applicable box and fill in applicable information)*
- c(1) the offense is punishable as a Class C misdemeanor, and at least 180 days have elapsed from the date of arrest, **or**
- c(2) the offense is punishable as a Class A or Class B misdemeanor and at least 1 year has elapsed from the date of arrest, **or**
- c(3) the offense is punishable as a felony and at least 3 years have elapsed from the date of arrest, **or**
- c(4) The statute of limitation for this offense has passed before the filing of this petition. The statute of limitation for this offense is _____ years

(If there were no additional offenses resulting from this arrest, skip to "4. Information About Other Arrest(s) is Attached")

4th Offense Charged: _____
(Describe exactly as written by DPS or in dismissal order)

- a. Cause number and Court: _____
- b. Date offense allegedly occurred: ____ / ____ / ____
- c. No information or indictment charging me with the commission of an offense was ever presented at any time following the arrest, **and**: *(check the applicable box and fill in applicable information)*
- c(1) the offense is punishable as a Class C misdemeanor, and at least 180 days have elapsed from the date of arrest, **or**
- c(2) the offense is punishable as a Class A or Class B misdemeanor and at least 1 year has elapsed from the date of arrest, **or**
- c(3) the offense is punishable as a felony and at least 3 years have elapsed from the date of arrest, **or**

c(4) The statute of limitation for this offense has passed before the filing of this petition. The statute of limitation for this offense is _____ years

(If there were no additional offenses resulting from this arrest, skip to "4. Information About Other Arrest(s) is Attached")

4. Information about Other Arrest(s) is Attached

(If you want the Court to expunge other arrests, check this box and attach the form ADDITIONAL ARREST EXHIBIT (Charges not Filed) to this Petition. If you do not have other arrests you want the Court to expunge, do not check this box.)

I also ask the court to order the expunction of all records and files arising out of _____ (number of other arrests) other arrests. Information about each additional arrest is an attached exhibit.

5. Petitioner is Entitled to an Order of Expunction for Arrest (and Other Arrests)

I am entitled to have all records and files arising out of Arrest #1 and other arrests expunged because:

- a. I was released after this arrest; **and**
- b. I have not been finally convicted of any offense arising out of this arrest; **and**
- c. There are no charges currently pending against me from this arrest; **and**
- d. I was not placed on court ordered supervision (*probation*) for this arrest under Texas Code of Criminal Procedure Article 42.12 (unless the offense charged was a class C misdemeanor); **and**
- e. I was not released on a conditional discharge under the Controlled Substances Act; **and**
- f. All charges arising out of this arrest, if any, were dismissed or quashed as specifically described under each charge above; **and**
- g. I did not intentionally or knowingly jump bail after being released on bail following my arrest.

6. Agencies with Records of My Arrest #1

I have reason to believe that the following named law enforcement agencies, officials, and public entities have files or records subject to expunction and should be served with notice of this Petition:

(List the **names and addresses** of all law enforcement agencies, officials and public entities that may have files or records of your arrest. If you aren't sure which agencies you should list in your petition, talk with a lawyer. Attach additional sheets if necessary.)

Texas Department of Public Safety, Crime Records Service (MSC0234)

For itself and for:

Federal Bureau of Investigation, Identification Section

National Crime Information Center

Texas Crime Information Center

Governor's Division of Emergency Management

State Operations Center/Preparedness Section

Texas Fusion Center

Any other entity that purchases Department of Public Safety records

ATTN: Expunction of Records

P.O. Box 4143

Austin, TX 78765

Texas Department of Criminal Justice

Community Justice Assistance Division

ATTN: Expunction of Records

209 W. 14th Street, Suite 400

Austin, TX 78701

(Check this box only if you have a Travis County Case)

Travis County Information Technology Services

Attn: Expunction of Records

700 Lavaca, 5th Floor

Austin, TX 78701

Any Law Enforcement Agency Involved in the Arrest

(List the name and address of the arresting agency or agencies involved in your arrest.)

Name of Agency:	
ATTN: Expunctions	
Physical Address:	
Email Address:	

Name of Agency:	
ATTN: Expunctions	
Physical Address:	
Email Address:	

Name of Agency:	
ATTN: Expunctions	
Physical Address:	

Email Address:	
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Name of Agency:	
ATTN: Expunctions	
Physical Address:	
Email Address:	

(If the Texas Alcoholic Beverage Commission was involved in the arrest, include both its headquarters and the District Office. **Do not check these boxes if the TABC was not involved in the arrest.**)

Texas Alcoholic Beverage Commission
Headquarters Facility
5806 Mesa Drive
Austin, TX 78731

Texas Alcoholic Beverage Commission
District Office

(insert location of District Office where arrest occurred)

Any Jail where I was Taken

(List the name and address of all jail(s) to which you were taken.)

Jail Release

(If you were interviewed for a personal bond, or if you received a personal bond or a cash deposit bond, you may want to include the pretrial services office, if any, involved in this process. **Check this box for Travis County cases.** For other counties, locate the address of the Pretrial Services, if applicable, and list below.)

Pretrial Services
Blackwell-Thurman Criminal Justice Center
PO Box 1748
Austin, TX 78767

(For all other counties, list here)

Successful Completion of Pre-Trial Diversion

(Check this box **only** if you successfully completed a Travis County Pretrial Diversion. For other counties, list below.)

Pre-trial Diversion Program
Community Supervision and Corrections

PO Box 1748
Austin, TX 78767

(For all other counties, list here)

Counseling and Education Services

(Check this box only if you received a substance abuse evaluation with Travis County Counseling and Education Services. For other counties where you were required to be evaluated, list below.)

- Travis County Counseling and Education Services
PO Box 1748
Austin, TX 78767

(For all other counties, list here)

Additional Agencies

(List any additional agencies applicable to your arrest #1)

7. Private Entities with Records of My Arrest(s)

I have reason to believe the following private entities compile and disseminate criminal history information for compensation and have information relating to records or files that are subject to expunction.

1. The current list of all “Customers who have purchased the CCH Database,” as maintained by the Texas Department of Public Safety, Crime Records Service, and as currently displayed at the following page of the DPS Website:
<https://records.txdps.state.tx.us/DpsWebsite/CriminalHistory/Purchases.aspx>
2. All private entities who have purchased criminal history record information from the Department of Public Safety within the ten (10) years preceding the date of this Petition.
3. Each person who applies or has applied for access to criminal history record information maintained by the Department of Public Safety [Texas Govt. Code Sec 411.085(b)(1)].
4. Any private entity which notifies the Department of Public Safety that it sells or has sold any compilation of criminal history record information to another similar entity, and any similar entity as having purchased such information from a private entity [Texas Govt. Code Sec 411.085(b)(2)].
5. All entities listed in the “Private Entity List” if such document is attached to this Petition.
(You can find the “Private Entity List” in the information brochure for expunctions found on www.TexasLawHelp.org. If you need advice or aren’t sure whether you should include this list, talk with a lawyer.)

8. Request for Relief

I ask the Court to set this case for hearing no earlier than 30 days from the date I file this Petition. I ask the Court to give reasonable notice of the hearing to each official or agency or other entity named in Paragraph 6 as required by Texas Code of Criminal Procedure, Article 55.02, Section 2.

After the hearing, I ask the Court to order each law enforcement agency, official, or entity named in this Petition or the attached Exhibits to:

1. Return all records and files arising from my arrest or arrests listed in this Petition to the Court for delivery to me; or if removal and return of the records is not practical, to destroy all portions of the record or file that identify me and advise the Court of its action, and
2. Delete from its public records all index references to the records and files that are subject to the expunction order, and
3. Request any federal agencies or central depositories which have been supplied information concerning this matter to either delete or obliterate all references to me and this matter or return all records and files subject to the expunction order to this Court for destruction, and
4. Order the Clerk of the Court to send a certified copy of the Order by certified mail, return receipt requested, to each official, agency or other entity named in this Petition.

Additionally, I ask the Court to order the Department of Public Safety to provide notice of the expunction order to any private entity that is named in the order and to any private entity that

purchases criminal history record information from the Department, as provided in Tex. Code. Crim. Proc. Art. 55.02, Sec.3 (c-2).

I ask the Court for general relief.

Respectfully submitted,

Petitioner's Signature	Date		
Petitioner's Printed Name	Phone		
Mailing Address	City	State	Zip
Email: <i>(If available)</i>	Fax: <i>(If available)</i>		

9. Declaration Made Under Penalty of Perjury

I make this Unsworn Declaration under penalty of perjury in place of verification as allowed by Texas Civil Practices and Remedies Code Section 132.001.

My name is: _____.

My date of birth is: ____ / ____ / ____.

My current address is: _____.

I declare under penalty of perjury that all information in this Petition for Order of Expunction (Charges not filed) and attached Exhibits is true and correct. I understand I could be prosecuted for lying on this form.

Formally signed under penalty of perjury in _____ County, Texas,

on this date: ____ / ____ / ____.


Petitioner's Signature