PHILADELPHIA LAWYERS FOR SOCIAL EQUITY  
BY: Rachel Miller  
Identification No.: 315359  
  
1501 Cherry Street  
Philadelphia, PA 19102  
215-995-1230  
 Attorney for Damon Jenkins

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COMMONWEALTH OF PENNSYLVANIA : COURT OF COMMON PLEAS

: CRIMINAL TRIAL DIVISION

vs. : Philadelphia COUNTY

|  |  |  |
| --- | --- | --- |
|  | : | MC-51-CR-0431391-2005 |

Damon Jenkins : OTN# N3325280

5237 Duffield Street : DC# 0502025414

Philadelphia, PA 19124 :

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ :

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_, after consideration of the Petition for Expungement Pursuant to Pa.R.Crim.P. 790 presented by Damon Jenkins, it is ORDERED that the Petition/Motion is \_\_\_\_\_\_\_\_\_\_\_\_\_.

All criminal justice agencies upon which this order is served shall expunge all criminal history record information from defendant’s arrest record pertaining to the charges below. Criminal history record information includes information collected by criminal justice agencies concerning this individual and arising from the initiation of these criminal proceedings including but not limited to all fingerprints, photographs, identifiable descriptions, dates and notations of arrests, indictments, informations or other formal criminal charges, any dispositions arising from the above-captioned proceedings, and all electronic or digital records regarding any of the foregoing.

The Pennsylvania State Police shall request the Federal Bureau of Investigation to return to them all records pertaining to said arrest(s), which shall be destroyed by said agency upon their receipt of same.

The information required under Pa.R.Crim.P. 790 appears on the attached page(s) which is hereby incorporated into this ORDER by reference.

BY THE COURT:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

J.

Pursuant to Pa.R.Crim.P. 790, the following information is provided:

1. **Petitioner Name:** Damon Jenkins
2. **Alias(es):** Jenkins, Damon
3. **Petitioner’s Address:**

5237 Duffield Street

Philadelphia, PA 19124

1. **Petitioner’s Date of Birth:** 11/27/1971
2. **Petitioner’s Social Security Number:** 187-54-8406
3. **Name and address of the judge who accepted the guilty plea or heard the case:**

Judge Jimmie Moore

Criminal Justice Center  
1301 Filbert Street  
Philadelphia, PA 19107

1. **Name and mailing address of the affiant as shown on the complaint, if available:**

Miller, Jeffrey D., Philadelphia Police Dept, Philadelphia County, PA

1. **Docket Number:**

|  |
| --- |
| MC-51-CR-0431391-2005 |

1. **Offense Tracking Number (OTN):** N3325280
2. **The date on the complaint, or the date of arrest, and if available, the criminal justice agency that made the arrest:** Arrest Date: 04/21/2005; Arresting Agency: Philadelphia Police Dept
3. **The specific charges, as they appear on the charging document, to be expunged and applicable dispositions:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Code Section** | **Statute Description** | **Grade** | **Disp Date** | **Disposition** |
| 18 § 903 | CRIMINAL CONSPIRACY | unk | 12/22/2005 | Dismissed |
| 18 § 4119 | TRADEMARK COUNTERFEITING | unk | 12/22/2005 | Dismissed |
| 18 § 4116 | COPYING RECORDING DEVICES | unk | 12/22/2005 | Dismissed |

1. **If the sentence includes a fine, costs, or restitution, whether the amount due has been paid:**

The Petitioner’s sentence includes fines, costs and/or restitution in the amount of $0.00 and $0.00 has been paid off/adjusted.

1. **The reason for expungement:**

As a result of these arrests and subsequent photographing and fingerprinting, Petitioner has been caused to suffer embarrassment and irreparable harm and loss of job opportunities. Expungement is proper under 18 Pa.C.S. 9122 as the charges to be expunged were Dismissed.

1. **The criminal justice agencies upon which certified copies of the order shall be served:**

|  |
| --- |
| 1. The Clerk of Courts of Philadelphia County, Criminal Division |
| 2. The Philadelphia County District Attorney`s Office |
| 3. The Pennsylvania State Police, Central Records |
| 4. A.O.P.C. Expungement Unit |
| 5. Philadelphia Police Dept |
| 6. Philadelphia County Department of Adult Probation and Parole |

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Damon Jenkins : OTN# N3325280

5237 Duffield Street : DC# 0502025414

Philadelphia, PA 19124 : DOB: 11/27/1971

: SSN: 187-54-8406

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ :

**Petition for Expungement Pursuant to Pa.R.Crim.P. 790**

AND NOW, the Petitioner, through counsel Rachel Miller, Esquire, avers the following and requests that this petition for Expungement pursuant to Pa.R.Crim.P. 790 be granted for the reasons set forth below.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PETITIONER INFORMATION** | | | | | | | | |
| **Full Name:** Damon Jenkins | | **DOB:** 11/27/1971 | | | | **Social Security Number:** 187-54-8406 | | |
| **Address:**  5237 Duffield Street  Philadelphia, PA 19124 | | **Alias(es):** Jenkins, Damon | | | | | | |
| **CASE INFORMATION** | | | | | | | | |
| **Judge**:Judge Jimmie Moore | | | | **Address:** Criminal Justice Center 1301 Filbert Street Philadelphia, PA 19107 | | | | |
| **Docket Number(s):**   |  | | --- | | MC-51-CR-0431391-2005 | | | | | **Offense Tracking Number (OTN):** N3325280 | | | | |
| **Name of Arresting Agency:**  Philadelphia Police Dept | | | | **Date of Arrest:**  04/21/2005 | | | | **Date on Complaint:**  04/22/2005 |
| **Name of Affiant:**  Miller, Jeffrey D. | | | | **Address:**  Philadelphia Police Dept, Philadelphia County, PA | | | | |
| **The charges to be expunged are:** | | | | | | | | |
| **Code Section** | **Statute Description** | | **Grade** | | **Disp Date** | | **Disposition** | |
| 18 § 903 | CRIMINAL CONSPIRACY | | unk | | 12/22/2005 | | Dismissed | |
| 18 § 4119 | TRADEMARK COUNTERFEITING | | unk | | 12/22/2005 | | Dismissed | |
| 18 § 4116 | COPYING RECORDING DEVICES | | unk | | 12/22/2005 | | Dismissed | |
| The Petitioner’s sentence includes fines, costs and/or restitution in the amount of $0.00 and$0.00 has been paid off/adjusted. | | | | | | | | |
| **List the reason(s) for the Expungement(please attach additional sheet(s) of paper if necessary):**  As a result of these arrests and subsequent photographing and fingerprinting, Petitioner has been caused to suffer embarrassment and irreparable harm and loss of job opportunities. Expungement is proper under 18 Pa.C.S. 9122 as the charges to be expunged were Dismissed. | | | | | | | | |
| **Pursuant to local practice, the Commonwealth agrees to waive the requirement of attachment to this Petition of a current copy of the petitioner’s Pennsylvania State Police criminal history report. This waiver may be revoked by the Commonwealth in any case and at any time prior to the granting of the relief requested.** | | | | | | | | |

The facts set forth in this petition are true and correct to the best of my personal knowledge or information and belief, and are made subject to the penalties of unsworn falsification to authorities under 18 Pa.C.S. § 4904.

PLSE is a non-profit legal services organization that provides free legal assistance to low-income individuals. I, attorney for the petitioner, certify that petitioner meets the financial eligibility standards for representation by PLSE and that I am providing free legal service to petitioner.

/s/Rachel Miller\_\_

Rachel Miller, Esquire

Counsel for Petitioner

DATED: July 1, 2019