



LAURA HINOJOSA

HIDALGO COUNTY DISTRICT CLERK

November 13, 2023

Texas Department of Public Safety
PO Box 4143
Austin TX 78765-4143

RE: C-1723-23-L(E); EX PARTE KENNETH RAMSEY GARCIA

To Whom It May Concern:

Pursuant to Chapter 55 of the Code of Criminal Procedure you are hereby notified that an **ORDER OF EXPUNCTION** has been **GRANTED** in the above numbered and styled cause.

As per Texas Government Code 55.02 Sec 5(a)

(a)...on receipt of the order, each official or agency or other governmental entity named in the order shall:

- (1) return all records and files that are subject to the expunction order to court or in cases other than those described by Section 1a, if removal is impracticable, obliterate all portions of the record or file that identify the person who is the subject of the order and notify 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.**

Enclosed please find a certified copy of the Order of Expunction.

Sincerely,

Angela Anzaldúa

DEPUTY CLERK

CAUSE NO. C-1723-23-L (E)

EX PARTE

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IN THE DISTRICT COURT

464th JUDICIAL DISTRICT

KENNETH RAMSEY GARCIA

HIDALGO COUNTY, TEXAS

ORDER GRANTING EXPUNCTION

On this the _____ day of October, 2023, came on to be considered Petitioner's Verified Petition for Expunction. The Court finds Petitioner is entitled to an expunction pursuant to Article 55.01(a)(2) of the Texas Code of Criminal Procedure.

I.

Petitioner is identified as follows:

Name: Kenneth Ramsey Garcia
Race: White
Sex: Male
Date of Birth: September 6, 2001
Driver's License Number: TX- 43581361
Social Security Number: 632-783-799

II.

Petitioner is entitled to expunction of the following Hidalgo County arrests:

Offense Charged: Arson
Date of Arrest: June 18, 2019
Cause Number: CR-5164-19-I
Court of Offense: 398th Judicial District Court
DA#: 19-17462
TRN: 9279302639

PTD

The Court finds that an indictment or information was presented against Petitioner for an offense arising out of the transaction for which Petitioner was arrested, the indictment or information has been dismissed or quashed because the Petitioner completed and authorized pretrial intervention program under Section 76.011 of the Texas Gov't Code.

The Court further finds Petitioner has been released and the charge has not resulted in a final conviction and is no longer pending, and there was no court-ordered community supervision under Article 42.12 of the Code of Criminal Procedure for any offense other than a Class C misdemeanor.

III.

The respondents have been served with a copy of the Petition as required by law. Petitioner appeared in person with counsel and/or signed a Verified Statement of Facts. An Assistant District Attorney appeared on behalf of the Hidalgo County District Attorney's Office.

Respondents/Agencies are:

Edinburg Police Department
Attn: Records
1702 W. Closner Blvd.
Edinburg, Texas 78539

Facebook Busted Newspaper
info@bustednewspaper.com

Federal Bureau of Investigation
935 Pennsylvania Ave.
Washington, DC 20535

Hidalgo County Community Supervision & Corrections Department
Attn: Records
3100 S. Bus Hwy 281
P.O. Box 970
Edinburg, Texas 78540

Hidalgo County District Clerks Office
Attn: Expunctions
P.O. Box 87
Edinburg, Texas 78540

Hidalgo County Clerks Office
Attn: Criminal Division (Expunctions)
P.O. 58
Edinburg, Texas 78540

Hidalgo County District Attorney's Office
Attn: Expunctions
100 E. Cano
Edinburg, Texas 78539
Expunctions@da.co.hidalgo.tx.us

Hidalgo County Sheriff's Office
Attn: Records
711 E. El Cibolo Rd.
P.O. Box 1228
Edinburg, Texas 78540
expunctions@hidalgo.org
public.info@hidalgo.org
Luis Sierra: luis.sierra@hidalgo.org

Texas Department of Public Safety
Attn: Expunctions
P.O. Box 4143
Austin, Texas 78765-4143

Office of Court Administration
Attn: Efile & RE: Edinburg, Texas
205 W 14th St., STE. 600
Austin, Texas 78701

Edinburg Municipal Court
100 E. Freddy Gonzalez Dr,
Edinburg, Texas 78539
(956) 289-7797

IV.

IT IS THEREFORE ORDERED that all records and files pertaining to the arrest(s) granted herein be expunged. Related arrests (same or similar charge, date, or arresting agency) not specifically listed herein

are excluded from this expunction order. However, records of such unexpunged arrests, which would not have been generated except for the expunged arrest, shall be expunged.

The phrase "all records and files pertaining to the arrest" includes records and files that were generated by respondents during this expunction proceeding, including the copies of the Petition and of this order, which are served on each respondent. However, the phrase "all records and files pertaining to the arrest" does not include records and files that were generated during the investigation of the crime for which Petitioner was arrested, but before the arrest took place, and that do not indicate that the arrest ever took place.

The phrase "all records and files pertaining to the arrest" does not include records relating to the suspension or revocation of a driver's license, permit, or privilege to operate a motor vehicle except as provided in Section 524.015 and Section 724.048 of the Texas Transportation Code.

V.

Records and files pertaining to the arrest shall be expunged by turning them in to the Clerk of this Court, in a sealed envelope, by hand delivery or by mail to:

**Hidalgo County District Clerk
Attn: Expunctions
100 N. Clossner Blvd.
Edinburg, Texas 78539**

Videotapes and audiotapes shall be expunged by erasing them.

Records that pertain both to this arrest and to other arrests that are not included in this order, and that would have been generated even if the expunged arrest had not been made shall be obliterated (covered with tape, liquid paper, or other opaque substance) only insofar as they pertain to this arrest. A photocopy of such records, partially obliterated, shall be forwarded to the District Clerk as specified in the paragraph above.

Each respondent shall attach a certificate to the sealed envelope, certifying that these are all the expunged records; and the Department of Public Safety shall also certify that it has requested the FBI and all other central depositories to return all records and files subject to the order of expunction.

If returning records expunged by this order is impracticable, records pertaining to this arrest may be expunged by the record keeping agency obliterating or destroying the records as they apply to this arrest. The agency shall then send a certificate to the District Clerk's Office certifying that the records have been destroyed.

VI.

The clerk shall certify when the order is final and shall mail certified copies of it: By ordinary first class mail to Petitioner; and

By certified mail, return receipt requested, to all other respondents.

No respondent shall comply with this order until it has been thus served.

Upon request of Petitioner, the District Clerk may release any records returned pursuant to this order to the Petitioner.

The District Clerk shall maintain any and all records returned pursuant to this order in a manner not subject to public view and destroy all records, including the expunction file, not earlier than the 60th day after the date the order of expunction is issued or later than the first anniversary of that date unless the records were released to Petitioner. Destruction of any records pursuant to this order must comply with the procedures in Article 55.02, Section 5 of the Texas Code of Criminal Procedure.

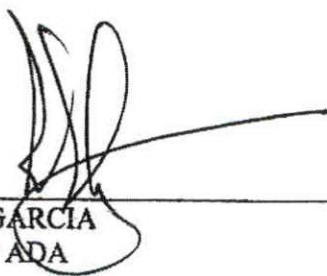
The District Clerk shall certify to the Court the destruction of any records returned pursuant to this order.

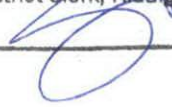
All relief not expressly granted herein is hereby DENIED.


SIGNED AND ENTERED this the 16th day of October, 2023.


JUDGE PRESIDING

AGREED AS TO FORM AND SUBSTANCE BY.


RICHARD H. GARCIA
Hidalgo County ADA

DATE 10-17-23
A true copy I certify
LAURA HINOJOSA
District Clerk, Hidalgo County, Texas
By  Deputy#12


Alma R. Garza
Attorney for Kenneth Ramsey Garcia