

TWELFTH JUDICIAL DISTRICT COURT

PARISH OF AVOYELLES

STATE OF LOUISIANA

No. _____

Division: _____

(First Name Middle Name Last Name)

Versus

State of Louisiana

Filed: _____

Deputy Clerk: _____

MOTION FOR EXPUNGEMENT OF MISDEMEANOR RECORD

The mover, _____, moves the Court pursuant to LSA-
(First Name Middle Initial Last Name)

R.S. 44:9(A) to expunge all records of his arrest and states the following in support:

1. Mover was arrested on _____, and charged with violating R.S. _____, a misdemeanor offense under the laws of Louisiana;
2. Pertinent information relating to the mover and the arrest at issue is as follows:

Full legal name of the mover: _____
 Sex and Race of the mover: _____
 Date of Birth of the mover: _____
 Social Security number of the mover: _____
 Driver's License Number of mover: _____
 Arresting Agency: _____
 Date of Arrest: _____
 Docket Number: _____
 Item Number "AO Number" (if applicable): _____
 Ticket Number (if applicable) _____
 Current address of the mover: _____
 City, State, Zip code: _____

3. Mover is entitled to expungement because (select one of the following):
 - a. The time limitation for institution of prosecution has expired and no prosecution has been instituted;
 - b. Prosecution was instituted but the charges were disposed by (select one):
 - (i) dismissal
 - (ii) a motion to quash was sustained
 - (iii) acquittal
 - (iv) refusal from the District Attorney
 Which event occurred on _____, 20____.

4. Mover has _____/has not_____ been convicted of a felony.

5. The mover attaches to this motion for following pertinent documents:
__ a. Official Arrest Register

- ___ b. Background Check from Sheriff with disposition from District Attorney
- ___ c. Bill of Information (if any)
- ___ d. Certified copy of the minute entry showing final disposition of the case (if any)
- ___ e. Letter of refusal from the District Attorney (if any)

The mover prays that it should be ordered that all agencies and law enforcement officers have any record of the arrest, whether on microfilm, computer card or tape, or on any other photographic, electronic, or mechanical method of storing data, expunge and destroy any record of arrest photograph, fingerprint, or any other information of any and all kinds or descriptions.

The mover prays that is should be ordered that the custodians of said records file an affidavit to the effect that the records have been destroyed and that no notations or references have been retained in the agency's central repository which will or might lead to the inference that any record ever was on file with any agency or law enforcement office.

If represented by counsel:

Respectfully submitted,

Attorney for Defendant

Address

City, State, Zip Code

Telephone Number

If not represented by counsel:

Mover

Mover's Address

City, State, Zip Code

Mover's Telephone Number

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ORDER AND RULE TO SHOW CAUSE (MISDEMEANOR)

The foregoing motion considered, IT IS HEREBY ORDERED by the Court that the District Attorney for the Parish of Avoyelles, Charles A. Riddle III, and the Sheriff of the Parish of Avoyelles, Doug Anderson, or the arresting agency (if other than PPSO), namely, _____, appear on _____, at _____ to show cause why the motion filed herewith should not be granted.

Ordered and signed at Marksville, Louisiana, _____, 20____.

JUDGE

Please serve:

The Honorable Charles A. Riddle III, District Attorney, Parish of Avoyelles, 417 North Main Street, Marksville, LA 71351

The Honorable Samuel G. Couvillion, Clerk of Court, Parish of Avoyelles, 312 North Main Street, Courthouse Building, Marksville, LA 71351

The Honorable Doug Anderson, Sheriff, Parish of Avoyelles, 675 Government Street, Marksville, LA 71351

Administrator, Louisiana Department of Public Safety & Corrections, Office of the State Police, Criminal Records Unit, P.O. Box 66614, Baton Rouge, LA 70896-6614

Federal Bureau of Investigation, Criminal Justice Investigation, Service Division, ATTN: Expungement Unit, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306

Attorney for Defendant and/or Defendant _____

Arresting Agency (if other than Avoyelles Parish Sheriff's Office) listed below:

TWELFTH JUDICIAL DISTRICT COURT

PARISH OF AVOYELLES

STATE OF LOUISIANA

No. _____

Division: _____

(First Name Middle Name Last Name)

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Deputy Clerk: _____

JUDGEMENT

Considering the Motion for Expungement filed herein by Defendant, IT IS ORDERED by the court that all agencies and law enforcement officers, including the following:

District Attorney for Parish of Avoyelles, Charles A. Riddle III,

Sheriff of the Parish of Avoyelles, Doug Anderson,

Arresting agency, namely, _____,

The Louisiana Bureau of Criminal Identification and Information,

The Federal Bureau of Investigation, and

Administrator, Department of Public Safety

Expunge and destroy the record of arrest, photograph, fingerprint, or any other information of any and all kinds of descriptions, relating to the following:

Full legal name of the mover:	_____
Sex and Race of the mover:	_____
Date of Birth of the mover:	_____
Social Security number of the mover:	_____
Driver's License Number of mover:	_____
Arresting Agency:	_____
Date of Arrest:	_____
Docket Number:	_____
Item Number "AO Number"(if applicable):	_____
Ticket Number (if applicable):	_____
Current address of the mover:	_____
City, State, Zip code:	_____

IT IS FURTHER ORDERED, that the Clerk of Court for the Twelfth Judicial District Court of the Parish of Avoyelles, is hereby directed to send certified copies of this order to the following:

District Attorney for Parish of Avoyelles, Charles A. Riddle III,

Sheriff of the Parish of Avoyelles, Doug Anderson,

Arresting agency, namely, _____,

The Louisiana Bureau of Criminal Identification and Information,

The Federal Bureau of Investigation, and

Administrator, Department of Public Safety

in order that they will comply with the order of the court.

IT IS FURTHER ORDERED that the said agencies and law enforcement officers shall file a sworn affidavit to the effect that said records have been expunged and destroyed and that no notations or references including the foregoing motion and order have been retained in any files or central depositories, except as provided by LSA-R.S. 44:9, which would lead to the inference that any record was ever on file with any agency or law enforcement office, provided however, that the original affidavit called for herein shall be kept by the Court and a copy of the affidavit shall be retained by the agency, entity, or law enforcement office making same, in accordance with LSA-R.S. 44:9.

IT IS FURTHER ORDERED that in accordance with LSA-R.S. 44:9(A)(3)(a) and 44:9(A)(4) a fee of \$50.00 be paid to Avoyelles Parish District Attorney's Office and a fee of \$50.00 be paid to Avoyelles Parish Sheriff's Office.

IT IS FURTHER ORDERED that said agencies shall file said affidavit on or before _____, 20_____, with the Clerk of Court of the 12th Judicial District, Parish of Avoyelles, State of Louisiana.

Order signed at Marksville, Louisiana, _____, 20_____.

JUDGE

Please serve:

The Honorable Charles A. Riddle III, District Attorney, Parish of Avoyelles, 417 North Main Street, Marksville, LA 71351

The Honorable Samuel G. Couvillion, Clerk of Court, Parish of Avoyelles, 312 North Main Street, Courthouse Building, Marksville, LA 71351

The Honorable Doug Anderson, Sheriff, Parish of Avoyelles, 675 Government Street, Marksville, LA 71351

Administrator, Louisiana Department of Public Safety & Corrections, Office of the State Police, Criminal Records Unit, P.O. Box 66614, Baton Rouge, LA 70896-6614

Federal Bureau of Investigation, Criminal Justice Investigation, Service Division, ATTN: Expungement Unit, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306

Attorney for Defendant and/or Defendant _____

Arresting Agency (if other than Avoyelles Parish Sheriff's Office) listed below: