Cause No. \_     \_\_\_\_\_\_\_\_\_\_\_\_\_

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| Ex parte | § | In the \_     \_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  |
|  | § | District Court \_     \_\_\_\_\_\_\_\_ |
|  |  |  |
|  | § | of Dallas County, Texas |
| Petitioner (*Print Full Name*) |  |  |

**ORDER GRANTING EXPUNCTION**

1. Petitioner’s information:

|  |  |
| --- | --- |
| Full Name: |  |
| Name at offense, if different: |  |
| Sex: |  |
| Race: |  |
| Date of Birth: |  |
| Driver’s License/ID Number: |  |
| Social Security Number: |  |
| Address at Time of Arrest: |  |
|  |

2. The Court finds that Petitioner is entitled to an expunction of the following Dallas County offenses/arrests/citations:

|  |  |  |
| --- | --- | --- |
| Offense Charged: | |  |
| Case Number: | |  |
| Date of Offense: | |  |
| Date of Arrest/Citation: | |  |
| Arresting Agency: | |  |
| TRN: | |  |
| For felonies only: | |  |
|  | Grand Jury Number: |  |
|  | Grand Jury Date: |  |
| (*List any additional offenses in section 2a*) | | |

2a. Additional Offenses/Arrests/Citations

(*Copy and insert this page as many times as necessary*):

|  |  |  |
| --- | --- | --- |
| Offense Charged: | |  |
| Case Number: | |  |
| Date of Offense: | |  |
| Date of Arrest/Citation: | |  |
| Arresting Agency: | |  |
| TRN: | |  |
| For felonies only: | |  |
|  | Grand Jury Number: |  |
|  | Grand Jury Date: |  |

|  |  |  |
| --- | --- | --- |
| Offense Charged: | |  |
| Case Number: | |  |
| Date of Offense: | |  |
| Date of Arrest/Citation: | |  |
| Arresting Agency: | |  |
| TRN: | |  |
| For felonies only: | |  |
|  | Grand Jury Number: |  |
|  | Grand Jury Date: |  |

|  |  |  |
| --- | --- | --- |
| Offense Charged: | |  |
| Case Number: | |  |
| Date of Offense: | |  |
| Date of Arrest/Citation: | |  |
| Arresting Agency | |  |
| TRN: | |  |
| For felonies only: | |  |
|  | Grand Jury Number: |  |
|  | Grand Jury Date: |  |

3. Respondents are:

|  |  |  |
| --- | --- | --- |
| 3.1 | Dallas County District Attorney’s Office for itself and the following Dallas County entities:  District Clerk;  County Clerk (*Check if any offense listed in order is a misdemeanor*);  Grand Jury (*Check is any offense listed in order is a felony*);  Dallas County Sheriff’s Office  Community Supervision and Corrections. | |
| 3.2 | Arresting Agency: |  |
| Mailing Address: |  |
|  |  |
| 3.3 | Court: |  |
| Mailing Address: |  |
|  |  |
| 3.4 | Other Agency: |  |
| Mailing Address: |  |
|  |  |
| 3.5 | Texas Department of Public Safety  Attn: Expunctions (Crime Records Division – MSC-0234)  P.O. Box 4143  Austin, TX 78765-4143  *Individually and for the Federal Bureau of Investigation* | |
| 3.6 | Texas Department of Criminal Justice – CJAD  Attn: CSTS Administrator  209 W. 14th St., Suite 400  Austin, TX 78701 | |
| 3.7 | Office of Court Administration  Attn: Efile & ReSearch TX  205 W. 14th St., Suite 600  Austin, Texas 78701-1614 | |
| *(List any additional agencies in section 3a)* | | |

3a. Additional Respondents:

(*Copy and insert this page as many times as necessary*):

|  |  |
| --- | --- |
| Other Agency: |  |
| Mailing Address: |  |
|  |  |

|  |  |
| --- | --- |
| Other Agency: |  |
| Mailing Address: |  |
|  |  |

|  |  |
| --- | --- |
| Other Agency: |  |
| Mailing Address: |  |
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|  |  |
| --- | --- |
| Other Agency: |  |
| Mailing Address: |  |
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| Other Agency: |  |
| Mailing Address: |  |
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| --- | --- |
| Other Agency: |  |
| Mailing Address: |  |
|  |  |

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| 3.8 | **Private Entities**  In accordance with Article 55.02, Section 3(c-2) of the Texas Code of Criminal Procedure, the Texas Department of Public Safety shall provide notice of this order to any **private entity** that purchases criminal history record information from the Department or that is named in this order. The notice must include an explanation of the effect of the order and a request that the entity must destroy any information in its possession that is subject to the order.  3.8(a) PublicData.com  3.8(b) Appriss Operations Center  Attn: VINELink  10401 Linn Station Road  Louisville, Kentucky 40223  3.8(c) All entities listed in Attachment A  3.8(d) \_     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 3.9 | **Service to Federal Bureau of Investigation**  In accordance with Article 55.02, Section 3(a) of the Texas Code of Criminal Procedure, the Texas Department of Public Safety shall forward the final order emanating from this proceeding to the Federal Bureau of Investigation. |
| 4. | **Service to Respondents**  The Court finds that Respondents have been served with a copy of the petition as required by law. |
| 5. | **Scope of Expunction**  IT IS THEREFORE ORDERED that all records and files related to the arrest(s) set out in this order be expunged, *unless this order permits retention of records pursuant to Article 55.02, Section 4 of the Texas Code of Criminal Procedure, or as the parties have otherwise agreed to by contract as indicated herein*. Except as specified in paragraph 5a below, the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited. |

5a. The Court makes the following findings, if checked:

|  |  |
| --- | --- |
|  | The Court finds that Petitioner is still subject to conviction for an offense arising out of the transaction for which Petitioner was arrested because the statute of limitations has not run and there is reasonable cause to believe the State may proceed against Petitioner. The law enforcement agency and the prosecuting attorney may retain any records and files that are necessary to the investigation. Unless Petitioner is again arrested for or charged with an offense arising out of the transaction for which Petitioner was arrested, the release, maintenance, dissemination, or use of the expunged records and files is prohibited. Tex. Code Crim. Proc. art. 55.02, § 4(a), (b). |
|  | **OR** |
|  | The Court finds that Petitioner is entitled to an expunction based on Article 55.01(a)(2)(A)(i)(a), (b), or (c) of the Texas Code of Criminal Procedure, but without the certification of the prosecuting attorney as described in Article 55.01(a)(2)(A)(i)(d). The law enforcement agency and the prosecuting attorney may retain any records and files related to the arrest subject to this order. Tex. Code Crim. Proc. art. 55.02, § 4(a-1). |
|  | **OR** |
|  | The Court finds that the records and files are necessary to conduct a subsequent investigation and prosecution of a person other than Petitioner. The law enforcement agency and the prosecuting attorney may retain any records and files related to the arrest subject to this order. Tex. Code Crim. Proc. art. 55.02, § 4(a-2)(1). |
|  | **OR** |
|  | The Court finds that the records and files are necessary for use in another criminal case, including a prosecution, motion to adjudicate or revoke community supervision, parole revocation hearing, mandatory supervision revocation hearing, punishment hearing, or bond hearing; or a civil case, including a civil suit or suit for possession of or access to a child. The law enforcement agency and the prosecuting attorney may retain any records and files related to the arrest subject to this order. Tex. Code Crim. Proc. art. 55.02, § 4(a-2)(2). |

This order is subject to the provisions of Attachment B.

This order is subject to the provisions of Attachment C.

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| 6. | **Records of the Expunction Proceeding**  The phrase “all records and files related to the arrest” includes records and files generated by Respondents during this expunction proceeding, including copies of the petition and order which are served on each Respondent. |
| 7. | **Limitation on Occupational Driver’s License Records**  In accordance with Article 55.06 of the Texas Code of Criminal Procedure, 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 Sections 524.015 and 724.048 of the Texas Transportation Code. |
| 8. | **Compliance with Order**  This order shall be complied with as follows: |
| 8.1 | Each official, agency, or other governmental entity named in this order shall:  (1) return all records and files that are subject to this expunction order to the Court or, if removal is impracticable, obliterate all portions of the record or file that identify Petitioner, 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. |
| 8.2 | Records and files should be returned to the Court by hand delivery or mail in a sealed envelope to:  Dallas County District Clerk  Attention: Expunction Section  Frank Crowley Criminal Courts Building  133 N. Riverfront Blvd., Second Floor  Dallas, TX 75207 |
| 8.3 | Video, audio, and digital media subject to this order shall be obliterated. |
|  |  |
| 8.4 | An official, agency, court, or other entity may retain receipts, invoices, vouchers, or similar records of financial transactions that arose from the expunction proceeding or prosecution of the underlying criminal cause in accordance with internal financial control procedures. An official, agency, court, or other entity that retains these records shall obliterate all portions of the record or file that identify Petitioner. |
| 8.5 | Any state agency that sent information concerning the arrest(s) in this order to a central federal depository of criminal records shall request such depository to return all records and files subject to this order. |
| 9. | **Release of Order by District Clerk**  No copy of this order shall be given to any person or entity, including Petitioner or any Respondent, until the Clerk has certified its finality. The Clerk shall send a final, certified copy of the order to:   * 1. the Dallas County District Attorney’s Office on behalf of itself and all Dallas County agencies;   2. Petitioner or Petitioner’s attorney;   3. the Texas Department of Public Safety, Crime Records Service; and   4. any other official, agency, or other governmental entity named as a Respondent.   Respondents shall be served by secure electronic mail, electronic transmission, facsimile transmission, certified mail/return receipt requested, or hand delivery.  No Respondent shall comply with this order until it has been thus served. |
| 10. | **Discovery of Expunction Files During Civil Litigation**  If Petitioner should file a civil action arising out of the arrest that is the subject of this expunction, the materials contained in the expunged records, as well as the contents of the expunction file, shall be a matter of public record subject to discovery proceedings. *W.V. v. State*, 669 S.W.2d 376, 379 (Tex. App.—Dallas 1984, writ ref’d n.r.e.). If the expunction file is still in the Dallas County District Clerk’s custody, the person seeking discovery of its contents shall notify the Dallas County District Clerk and the Dallas County District Attorney’s Office. Upon motion and order, the Clerk of this Court shall deliver the expunction file to the clerk of the civil court where the action is pending, taking receipt for same. |
| 11. | **Costs Assessed Against Petitioner**  The costs described in Article 102.006 of the Texas Code of Criminal Procedure are assessed against Petitioner. |
| 12. | **Optional Release of Expunction Files to Petitioner**  Except in the case of a person entitled to an expunction on the basis of an acquittal under Article 55.01(a)(1)(A) of the Texas Code of Criminal Procedure, the records and files returned to the Court pursuant to this order shall be released to Petitioner upon request, beginning six months after the date of this order. |
| 13. | **Destruction of Files by District Clerk**  The Clerk of the Court shall destroy all files and records collected or maintained in accordance with this expunction not later than the first anniversary of the date the order was issued unless the records or files were previously released to Petitioner. |
| 14. | All relief prayed for not herein specifically granted is hereby denied. |

SIGNED and DATED,

|  |  |
| --- | --- |
|  |  |
|  | Judge |
|  |  |

|  |  |
| --- | --- |
| Approved as to form: |  |
|  |  |
| Attorney for Petitioner |  |
| *(Please sign before submitting proposed order)* | |
| Assistant District Attorney |  |
|  |  |

**CERTIFICATE OF FINALITY**

I, Felicia Pitre, District Clerk of Dallas County, Texas, do certify that I have custody of the official records of the district courts of Dallas County, Texas. A search of the record in this cause reveals that no motion for new trial, notice of appeal, or motion in arrest of judgment has been filed by any party within 30 days after the signing of the foregoing order (next business day if the 30th day is a Saturday, Sunday, or legal holiday).

WITNESS my hand and seal of office on this date.

FELICIA PITRE

DISTRICT CLERK

DALLAS COUNTY, TEXAS

By: \_     \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy

**Attachment A**

**Private entities that purchase, or have purchased, arrest, bond, or criminal conviction history data from Dallas County agencies subject to this order:**

|  |  |  |
| --- | --- | --- |
| Allied Companies/ Resident Check  4230 Lyndon B. Johnson Fwy  Dallas, TX 75244-5806 | AmRent/CBC Companies  3400 Rainer Dr.  Arlington, TX 76016-3904 | Citizens Information Associates  PO Box 171  Austin, TX 78767 |
| CorelLogic Saferent  PO Box 509124  San Diego, CA 92150-9124 | Court Ventures  29 E. Madison St.  Suite 501  Chicago, IL 60602-4404 | Experian  475 Anton Blvd.  Bldg. D Fl 3  Costa Mesa, CA 92626 |
| FC Background  8350 N. Central Expy  Suite 300  Dallas, TX 75206-1622 | Genuine Data Services, LLC  12770 Coit Rd.  Suite 1150  Dallas, TX 75251 | Innovative Enterprises Inc  PO Box 12226  Newport News, VA 23612-2226 |
| LexisNexis Risk Data Retrieval Services  1000 Alderman Dr.  Alpharetta, GA 30005 | PublicData.com  7750 N. MacArthur Blvd. Suite 120-320  Irving, TX 75063-7501 | Rapid Court, LLC  9710 Northcross Center Ct. Suite 105  Huntersville, NC 28078 |
| Shadow Soft Inc.  7750 N Macarthur Blvd Suite 120  Irving, TX 75063-7501 | Sterling Infosystems, aka:  Sterling Talent Solutions  PO Box 3876  Seattle, WA 98124-3876 | weSearch Data Systems  PO Box 1955  Friendswood, TX 77549 |
| Armantek  11150 Sunset Hills Rd  Suite 304  Reston, VA 20190 | Beggs Law Firm  140 E Irving Blvd.  Irving, TX 75060 | Bender & Beatty, Inc.  785 Pink Dogwood Lane  Labadie, MO 63055 |
| Big Bubba's Bails Bonds II  222 Continental Ave.  Dallas, TX 75207 | D&N Law Group, LLP  2505 Texas Dr.  Suite 112  Irving, TX 75062 | Deandra M. Grant & Associates  800 E Campbell Rd.  Suite 110  Richardson, TX 75081 |

|  |  |  |
| --- | --- | --- |
| Jackson Law Group  17110 Dallas Pkwy  Suite 290  Dallas, TX | Jerry W. Melton  Attorney at Law  15455 Dallas Parkway  Suite 600  Addison, TX 75001 | Law Office of Cameron Gray & Associates, PLLC  702 Dalworth St.  Grand Prairie, TX 75050 |
| Law Office of James Vasilas  436 W. Davis St.  Dallas, TX 75208 | Law Office of Juanita B Edgecomb PC  306 W. 6th St.  Waxahachie, TX 75165-2548 | Law Office of Kambira R. Jones  2201 Main St.  Suite 1016  Dallas, TX 75201 |
| Law Office of Servando Mchzlett  1200 W. University Dr.  McKinney, TX 75069 | Law Office of T. Christopher Lewis, PLLC  1106 N. Hwy 360  Suite 420  Grand Prairie, TX 75050 | Legal Grab LLC  450 NE 32nd St.  Miami, FL 33137 |
| Mark A Perez  Attorney at Law  3500 Maple Ave.  Suite 400  Dallas, TX 75219 | McIntosh & Ward PLLC  1910 Pacific Ave.  Suite 6030  Dallas, TX 75201 | National Crime Reporting/Power in Data, Inc  6322 Prestwick Court  Lake Worth, FL 33467 |
| Set-em Free Bail Bonds  183 Parkhouse St.  Dallas, TX 75207 | Storage Unit Auction List/Lake Holdings LLC  9 SW Pack Square  Suite 202  Asheville, NC 28801 | Sullo & Bobbit, PLLC  6060 N. Central Expwy  Suite 662  Dallas, TX 75206 |
| The DeBose Law Firm  5656 Milton St.  Suite 321  Dallas, TX 75206 | Timothy Sommers Law Firm  3102 Maple Ave.  Suite 400  Dallas, TX 75201 | WGC Law  6119 Greenville Ave.  Suite 388  Dallas, TX 75206 |
| Dallas Morning News  1954 Commerce St.  Dallas, TX 75201 | WFAA News  606 Young St.  Dallas, TX 75202 |  |