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

|  |  |  |
| --- | --- | --- |
| 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:[x]  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*); [x]  Dallas County Sheriff’s Office [x]  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 4143Austin, TX 78765-4143*Individually and for the Federal Bureau of Investigation* |
| 3.6 | Texas Department of Criminal Justice – CJAD Attn: CSTS Administrator209 W. 14th St., Suite 400Austin, TX 78701 |
| 3.7 | Office of Court AdministrationAttn: Efile & ReSearch TX205 W. 14th St., Suite 600Austin, 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.com3.8(b) Appriss Operations Center Attn: VINELink10401 Linn Station RoadLouisville, Kentucky 402233.8(c) All entities listed in Attachment A3.8(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 SectionFrank Crowley Criminal Courts Building133 N. Riverfront Blvd., Second FloorDallas, 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 Check4230 Lyndon B. Johnson Fwy Dallas, TX 75244-5806  | AmRent/CBC Companies 3400 Rainer Dr.Arlington, TX 76016-3904 | Citizens Information AssociatesPO Box 171Austin, TX 78767 |
| CorelLogic SaferentPO Box 509124San Diego, CA 92150-9124 | Court Ventures29 E. Madison St.Suite 501Chicago, IL 60602-4404 | Experian475 Anton Blvd. Bldg. D Fl 3Costa Mesa, CA 92626 |
| FC Background8350 N. Central ExpySuite 300Dallas, TX 75206-1622 | Genuine Data Services, LLC12770 Coit Rd.Suite 1150Dallas, TX 75251 | Innovative Enterprises IncPO Box 12226Newport News, VA 23612-2226 |
| LexisNexis Risk Data Retrieval Services1000 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 SolutionsPO 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 II222 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 Vasilas436 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 News1954 Commerce St.Dallas, TX 75201 | WFAA News606 Young St.Dallas, TX 75202 |  |