

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:

- 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: _____

Other Agency: _____
Mailing Address: _____

Other Agency: _____
Mailing Address: _____

Other Agency: _____
Mailing Address: _____

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.

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:

- a. the Dallas County District Attorney's Office on behalf of itself and all Dallas County agencies;
- b. Petitioner or Petitioner's attorney;
- c. the Texas Department of Public Safety, Crime Records Service; and
- d. 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

CoreLogic Saferent
PO Box 509124
San Diego, CA 92150-
9124

FC Background
8350 N. Central Expy
Suite 300
Dallas, TX 75206-1622

LexisNexis Risk Data
Retrieval Services
1000 Alderman Dr.
Alpharetta, GA 30005

Shadow Soft Inc.
7750 N Macarthur Blvd
Suite 120
Irving, TX 75063-7501

Armantek
11150 Sunset Hills Rd
Suite 304
Reston, VA 20190

Big Bubba's Bails Bonds II
222 Continental Ave.
Dallas, TX 75207

AmRent/CBC Companies
3400 Rainer Dr.
Arlington, TX 76016-3904

Court Ventures
29 E. Madison St.
Suite 501
Chicago, IL 60602-4404

Genuine Data Services,
LLC
12770 Coit Rd.
Suite 1150
Dallas, TX 75251

PublicData.com
7750 N. MacArthur Blvd.
Suite 120-320
Irving, TX 75063-7501

Sterling Infosystems, aka:
Sterling Talent Solutions
PO Box 3876
Seattle, WA 98124-3876

Beggs Law Firm
140 E Irving Blvd.
Irving, TX 75060

D&N Law Group, LLP
2505 Texas Dr.
Suite 112
Irving, TX 75062

Citizens Information
Associates
PO Box 171
Austin, TX 78767

Experian
475 Anton Blvd.
Bldg. D Fl 3
Costa Mesa, CA 92626

Innovative Enterprises Inc
PO Box 12226
Newport News, VA 23612-
2226

Rapid Court, LLC
9710 Northcross Center Ct.
Suite 105
Huntersville, NC 28078

weSearch Data Systems
PO Box 1955
Friendswood, TX 77549

Bender & Beatty, Inc.
785 Pink Dogwood Lane
Labadie, MO 63055

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