

2a. Additional Offenses/Arrests:

(Copy this page as many times as necessary)

Offense Charged: _____
Date of Offense: _____
Date of Arrest/Citation: _____
County of Arrest/Citation: _____
City of Arrest/Citation: _____
Arresting Agency: _____
Case Number: _____
Court: _____

Offense Charged: _____
Date of Offense: _____
Date of Arrest/Citation: _____
County of Arrest/Citation: _____
City of Arrest/Citation: _____
Arresting Agency: _____
Case Number: _____
Court: _____

Offense Charged: _____
Date of Offense: _____
Date of Arrest/Citation: _____
County of Arrest/Citation: _____
City of Arrest/Citation: _____
Arresting Agency: _____
Case Number: _____
Court: _____

3. Respondent Agencies - Governmental

Petitioner has reason to believe the following governmental agencies may have records or files pertaining to the arrest(s):

3.1 Dallas County District Attorney’s Office for itself and the following Dallas County entities:

- District Clerk;
- County Clerk (mark if any offense listed in petition is a misdemeanor)
- Grand Jury (mark if any offense listed in petition is a felony)
- Dallas County Sheriff’s Office – Bonds and Identification
- Community Supervision and Corrections

3.2 Arresting Agency: _____
(Police department, sheriff’s department, or constable’s office)

Mailing Address: _____

3.3 Court: _____
(District court, county court, municipal court, or Justice of the Peace)

Mailing Address: _____

3.4 Other Agency: _____
(Other state agency, including additional arresting agencies)

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 this page as many times as necessary)

Other Agency:

(List any other state agencies, including additional arresting agencies)

Mailing Address:

Other Agency:

Mailing Address:

Other Agency:

Mailing Address:

Other Agency:

Mailing Address:

Other Agency:

Mailing Address:

Other Agency:

Mailing Address:

4. Private entities and out-of-state agencies with criminal history record information subject to notification by the Texas Department of Public Safety of the order granting an expunction include:

5.1 Any entity that purchases criminal history record information from DPS in accordance with Texas Code of Criminal Procedure, Section 3(c-2);

5.2 PublicData.com;

5.3 Appriss Operations Center
Attn: VINELink
10401 Linn Station Road
Louisville, Kentucky 40223

5.4 _____

5. Legal Grounds for Expunction (*Check All That Apply*)

A. Acquittals, Pardons, & Certain Convictions for Unlawful Carrying Weapons

Petitioner is entitled to an expunction of the above arrest(s) under Texas Code of Criminal Procedure, Article 55.01(a)(1) because Petitioner was tried for the offense for which Petitioner was arrested and was:

(1) acquitted by the trial court, Court of Appeals, or Court of Criminal Appeals, and Petitioner is not subject to prosecution for or was not convicted of another offense arising out of the same criminal episode as defined by Section 3.01 of the Texas Penal Code; **or**

(2) convicted and subsequently pardoned by the Governor; **or**

(3) convicted of an offense committed before September 1, 2021, under Section 46.02(a) of the Texas Penal Code for Unlawful Carrying Weapons as that section existed before September 1, 2021.

OR

B. Cases Filed in Court, But Later Dismissed or Quashed

Petitioner is entitled to an expunction of the above arrest(s) under Texas Code of Criminal Procedure, Article 55.01(a)(2) because:

- (1) Petitioner has been released; and
- (2) the charge has not resulted in a final conviction and is no longer pending; and
- (3) there was no court-ordered community supervision under Chapter 42A (former Article 42.12) of the Texas Code of Criminal Procedure for the offense, unless the offense is a Class C misdemeanor; and
- (4) an indictment or information charging Petitioner with the commission of a misdemeanor offense based on Petitioner’s arrest or charging Petitioner with the commission of any felony offense arising out of the same transaction for which Petitioner was arrested ***was presented*** against Petitioner following the arrest; *and*

[*Statute of limitations has expired*] the indictment or information was dismissed and the prosecution of Petitioner for the offense for which Petitioner was arrested is no longer possible because the limitations period has expired;

or

[*Absence of probable cause*] the indictment or information was dismissed or quashed because the presentment had been made because of mistake, false information, or other similar reason indicating absence of probable cause at the time of the dismissal to believe Petitioner committed the offense;

or

[*Veterans treatment court, pretrial intervention, or mental health court programs*] the indictment or information was dismissed because Petitioner completed a veterans treatment court program created under Chapter 124 of the Texas Government Code, a pretrial intervention program authorized under Section 76.011 of the Government Code, or a mental health court program created under Chapter 125 of the Government Code;

or

[*Void indictment or information*] the indictment or information was dismissed or quashed because the indictment or information was void.

OR

C. Cases Never Filed in Court (*Including Not-Filed, Rejected, and No-Billed Cases*)

Petitioner is entitled to an expunction of the above arrest(s) under Texas Code of Criminal Procedure, Article 55.01(a)(2) because:

(1) Petitioner has been released; and

(2) an indictment or information charging Petitioner with the commission of a misdemeanor offense based on Petitioner's arrest or charging Petitioner with the commission of any felony offense arising out of the same transaction for which Petitioner was arrested ***has not been presented*** against Petitioner following the arrest; *and:*

- [*Statute of limitations has expired*] prosecution of Petitioner for the offense for which Petitioner was arrested is no longer possible because the limitations period has expired.

or

- [*Class C misdemeanor – Limited Expunction*]
- at least 180 days have elapsed from the date of arrest;
 - the arrest was for an offense punishable as a Class C misdemeanor; and
 - there was no felony charge arising out of the same transaction.

(A limited expunction applies only if the statute of limitations has not expired. In a limited expunction, the district attorney and police agency will retain their records.)

or

- [*Class A or B misdemeanor – Limited Expunction*]
- at least one year has elapsed from the date of arrest;
 - the arrest was for an offense punishable as a Class A or B misdemeanor; and
 - there was no felony charge arising out of the same transaction.

(A limited expunction applies only if the statute of limitations has not expired. In a limited expunction, the district attorney and police agency will retain their records.)

or

- [*Felony – Limited Expunction*]
- at least three years have elapsed from the date of arrest; and
 - the arrest was for an offense punishable as a felony or there was a felony charge arising out of the same transaction.

(A limited expunction applies only if the statute of limitations has not expired. In a limited expunction, the district attorney and police agency will retain their records.)

or

- [*Certification*] The District Attorney certifies that the applicable records and files are not needed for use in any criminal investigation or prosecution, including an investigation or prosecution of another person.

6. Prayer

Petitioner requests that this matter be set for a hearing, that each official or governmental agency be given reasonable notice of the hearing, and this Court enter an order directing the records and files related to the offense/arrests alleged in this Petition be expunged.

Respectfully submitted,

Attorney for Petitioner

Printed Name:

State Bar No.

Address:

Phone:

Email:

VERIFICATION

My name is _____

My date of birth is _____

My address is _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas on the _____ day of

_____, 202__.

Declarant

Cause No. _____

Ex parte

§

In the _____

§

District Court _____

§

Of Dallas County, Texas

PETITIONER (*Print Full Name*)

ORDER SETTING HEARING DATE

This expunction case is hereby set for a hearing on _____ 202__, at
_____ o'clock.

Signed on _____, 202__.

Judge