

CITY COURT OF ZACHARY
4510 Main Street
Post Office Box 310
Zachary, LA 70791
Phone: (225) 654-0044 FAX: (225) 654-1929

EXPUNGEMENT INFORMATION

The following matters may be expunged:

ARREST OR CONVICTION(S) IN WHICH ANY OF THE FOLLOWING RESULTS OR ACTIONS OCCURRED:

- Not guilty verdict
- Case dismissed
- Time limit for prosecution expired
- Article 894 imposed upon guilty plea or verdict
- Case not prosecuted
- Defendant entered pre-trial program

ARREST AND CONVICITON(S) AFTER TIME LIMITATION HAS ELAPSED AND ARTICLE 894 NOT IMPOSED:

- Criminal cases Five (5) years from the closed date
- DWI cases Ten (10) years from the closed date
- Pre-Trial cases Five (5) years from the closed date

THE FOLLOWING ITEMS ARE REQUIRED TO BE ATTACHED WHEN A MOTION IS FILED:

1. Motion for Expungement (a sample copy may be obtained from Zachary City Court)
2. \$ 50.00 US Post Office Money Order, payable to Zachary City Court
3. \$250.00 US Post Office Money Order, payable to the Bureau of Criminal Identification
4. Current Criminal Background Check dated within 60 days of filing the motion.
(Obtainable from Louisiana State Police, 7919 Independence Blvd., Baton Rouge, LA (225) 925-6095. A cost is assessed for report. Check with their office for details.)

Additional paperwork may be required. Please consult with an attorney regarding Expungement laws.

Reference: Louisiana Code of Criminal Procedure Title XXXIV. Expungement of Records Articles 971 through 996

**COURT PERSONNEL ARE NOT PERMITTED TO
GIVE LEGAL ADVICE**

MOTION FOR EXPUNGEMENT

NOW INTO COURT comes mover, who provides the court with the following information in connection with this request:

I. DEFENDANT INFORMATION

NAME: _____

(Last Name)(First Name)(Middle Initial)

DOB: ____/____/____ (MM/DD/YYYY)

GENDER: ____ Female ____ Male

SSN (last 4 digits): XXX-XX-_____

RACE: _____

DRIVER LIC.#: _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER (ATN): _____

AGENCY ITEM NO: _____

Mover is entitled to expunge the record of his arrest/conviction pursuant to Louisiana Code of Criminal Procedure 971 et seq. and states the following in support:

II. ARREST INFORMATION

1. Mover was arrested on ____/____/____ (MM/DD/YYYY)

2.

YES

NO

A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.

3. Mover was:

YES

NO

Arrested, but it did not result in conviction

YES

NO

Convicted of and seeks to expunge a misdemeanor

YES

NO

Convicted of and seeks to expunge a felony

YES

NO

Convicted but determined to be factually innocent and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8

4. Mover was booked and/or charged with the following offenses: (List each offense booked and charged separately. **Please number each item numerically beginning with Number 1.** Attach a supplemental sheet, if necessary.)

Yes No ARRESTS THAT DID NOT RESULT IN CONVICTION

NO. _____

La. Rev. Stat. Ann.

Name of the offense

§ _____ : _____

Time expired for prosecution ____/____/____ (MM/DD/YYYY)

Not prosecuted for any offense arising out of this charge

Pre-trial Diversion Program

DWI Pre-Trial Diversion Program and 5 years have elapsed since the date of arrest

Charge dismissed

Found not guilty/judgment of acquittal

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Time expired for prosecution ____/____/____ (MM/DD/YYYY)
Not prosecuted for any offense arising out of this charge
Pre-trial Diversion Program
Charge dismissed
Found not guilty/judgment of acquittal

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Time expired for prosecution ____/____/____ (MM/DD/YYYY)
Not prosecuted for any offense arising out of this charge
Pre-trial Diversion Program
Charge dismissed
Found not guilty/judgment of acquittal

Yes No MISDEMEANOR CONVICTIONS

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Conviction set aside/dismissed ____/____/____
Pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
More than 5 years have passed since complete of sentence.

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Conviction set aside/dismissed ____/____/____
Pursuant to C.Cr.P. Art. 894(B) (MM/DD/YYYY)
More than 5 years have passed since complete of sentence.

Yes No FELONY CONVICTIONS

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Conviction set aside/dismissed ____/____/____
Pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)
More than 10 years have passed since complete of sentence.
Received a first offender pardon for an eligible offense.

NO. _____

La. Rev. Stat. Ann.
Name of the offense

§ _____ : _____

Conviction set aside/dismissed ____/____/____
Pursuant to C.Cr.P. Art. 893(E) (MM/DD/YYYY)
More than 10 years have passed since complete of sentence.
Received a first offender pardon for an eligible offense.

Yes No OPERATING A MOTOR VEHICLE WHILE INTOXICATED CONVICTIONS

Mover has attached the following:

A certified letter of compliance in accordance with C.Cr.P. Art. 984 from the Department of Public Safety and Corrections, office of motor vehicles that it has received from the clerk of court a certified copy of the record of the plea, fingerprints of the defendant, and proof of the requirements set forth in C.Cr.P.Art. 556, which shall include the defendant's date of birth, last four digits of social security number, and driver's license number

5..Mover has attached to this Motion the following pertinent documents:

- Criminal Background Check from the La. State Police/Parish Sheriff dated within the past 60 days (required).
- Bill(s) of Information (if any).
- Minute entry showing final disposition of case (if any).
- Certification Letter from the District Attorney for fee waiver (if eligible).
- Certification Letter from the District Attorney verifying that the applicant has no convictions or pending applicable criminal charge in the requisite time periods.
- Certification Letter from the District Attorney verifying that the charges were refused.
- Certification Letter from the District Attorney verifying that the applicant did not participate in a pretrial diversion program.
- A copy of a first offender pardon.
- A copy of the order waiving the sex offender registration and notification requirements.
- A copy of the court order determination of factual innocence and order of compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572.8 if applicable.

Yes **No** Mover was arrested with another individual.

The Mover prays that if there is no objection timely filed by the arresting law enforcement agency, the district attorney's office, or the Louisiana Bureau of Criminal Identification and Information, that an order be issued herein ordering the expungement of the record of arrest and/or conviction set forth above, including all photographs, fingerprints, disposition, or any other such information, which record shall be confidential and no longer considered a public record, nor be made available to other persons, except a prosecutor, member of a law enforcement agency, or a judge who may request such information in writing, certifying that such request is for the purpose of prosecuting, investigating, or enforcing the criminal law, for the purpose of any other statutorily defined law enforcement or administrative duties, or for the purpose of the requirements of sex offender registration and notification pursuant to the provisions of R.S. 15:541, et seq. or as an order of this Court to any other person for good cause shown, or as otherwise authorized by law.

If an "Affidavit of No Opposition" by each agency named herein is attached hereto and made a part hereof, Defendant requests that no contradictory hearing be required and the Motion be granted ex parte.

Respectfully submitted,

Signature of Attorney for Mover/Defendant

Print Name of Attorney

Attorney's Bar Roll No.

Address

City, State, ZIP Code

Telephone Number

If not represented by counsel:

Signature of Mover/Defendant

Print Name

Address

City, State, ZIP Code

Telephone Number