

IN THE COUNTY COURT OF THE SECOND
JUDICIAL CIRCUIT, IN AND FOR LEON
COUNTY, FLORIDA

CASE #: _____

STATE OF FLORIDA,

SPN #: _____

vs.

Name of Defendant/Petitioner

Current Mailing Address

City/State/Zip

Home Phone / Work Phone

PETITION TO EXPUNGE

The defendant/petitioner, _____, petitions this court, pursuant to Florida Rule of Criminal Procedure 3.692 and Section 943.0585, Florida Statutes, to expunge all criminal history record information in the custody of any criminal justice agency and the official records of the court concerning the defendant/petitioner's arrest on the ____ day of _____, _____, by the _____ (arresting agency), for _____ (charges), and as grounds therefore shows:

1. The full name and address of the defendant/petitioner at the time of the arrest was:

_____.

2. The defendant/petitioner is a _____ (race) _____ (sex), whose date of birth is _____.

3. The defendant/petitioner has not been adjudicated guilty of any of the charges stemming from this arrest or alleged criminal activity.

4. The defendant/petitioner has not been previously adjudicated guilty of a criminal offense or a comparable ordinance violation.
5. The defendant/petitioner has not secured a prior records expunction or sealing under Section 943.0585, or 943.059, Florida Statutes; former section 943.058, Florida Statutes; former section 893.14, Florida Statutes; former section 901.33, Florida Statutes; or any other law, rule, or authority.
6. Such record has been sealed under section 943.059, Florida Statutes; former section 943.058, Florida Statutes; former section 893.14, Florida Statutes; or former section 901.33, Florida Statutes, for at least 10 years; **or** there has not been an indictment or information filed against the defendant/petitioner who is the subject of this criminal history record information; **or** an indictment or information filed against the defendant/petitioner who is the subject of this criminal history information was dismissed by the prosecutor or the court.

WHEREFORE, the defendant/petitioner moves to expunge any criminal history record information and any official court records regarding the arrest by the _____ (arresting agency), for _____ (charges), on the _____ day of _____, _____.

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading has been served on the following prosecuting authority (check one): _____ State Attorney for the Second Judicial Circuit; _____ Special Prosecutor; or _____ Statewide Prosecutor; and the _____ (arresting agency); the _____ (sheriff of county where defendant/petitioner was arrested, if different); and the Florida Department of Law Enforcement, this _____ day of _____, _____.

Defendant/Petitioner Signature

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT, IN AND
FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA,

CASE #: _____

vs.

SPN #: _____

Name of Defendant/Petitioner

Current Mailing Address

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AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEON

I, _____, am the defendant/petitioner in the above-styled case and I do hereby swear or affirm that:

1. I fully understand the meaning of all of the terms of this affidavit.
2. I have never been adjudicated guilty of a criminal offense or a comparable ordinance violation.
3. I was arrested on the _____ day of _____, _____, by the _____ (arresting agency), and I have not been adjudicated guilty of the charges stemming from that arrest or the alleged criminal activity surrounding my arrest.
4. I am eligible for the relief requested, to the best of my knowledge and belief, and do not have any other petitions to expunge or seal pending before any court.
5. I have never secured a prior records expunction or sealing under any law.
6. My record of arrest for this date has been sealed for at least 10 years; **or** an indictment or information was not filed against me for the above criminal transaction; **or** an indictment or information filed against me was dismissed by the prosecutor or the court.

Defendant/Petitioner

Sworn to and subscribed before me this _____ day of _____, _____.

Notary Public/Deputy Clerk
My Commission Expires:

Print/Type Notary/Deputy Clerk Name

_____ Personally known or _____ Produced ID Type of ID Produced _____

IN THE COUNTY COURT OF THE SECOND
JUDICIAL CIRCUIT, IN AND FOR LEON
COUNTY, FLORIDA

CASE #: _____

STATE OF FLORIDA,

SPN #: _____

vs.

Arrest Agency Case #: _____

Name of Defendant/Petitioner

Date of Birth

Current Mailing Address

City/State/Zip

**ORDER TO EXPUNGE PURSUANT TO SECTION 943.0585, FLORIDA STATUTES,
and FLORIDA RULE OF CRIMINAL PROCEDURE 3.692**

THIS CAUSE was considered upon a petition to expunge certain records of the defendant/petitioner's arrest on the _____ day of _____, _____, by the _____ (arresting agency), for _____ (charges).

Having reviewed the record and/or having heard argument of the defendant/petitioner or counsel and being otherwise fully advised in the premises, the court finds the following:

1. The defendant/petitioner has never previously been adjudicated guilty of a criminal offense or a comparable ordinance violation.

2. The defendant/petitioner was not adjudicated guilty of charges stemming from the arrest of criminal activity to which this expunction petition pertains.

3. The defendant/petitioner has not secured a prior records expunction or sealing.

4. This record has either been sealed for at least 10 years; **or** no indictment or information was ever filed in this case against the petitioner; **or** the prosecutor or the court dismissed an indictment or information filed against the defendant.

THEREFORE, it is

ORDERED and ADJUDGED that the petition to expunge is granted. All court records pertaining to the above-styled case shall be sealed in accordance with the procedures set forth in the Florida Rule of Criminal Procedure 3.692.

ORDERED and ADJUDGED that the clerk of this court shall forward a certified copy of this order to the prosecuting authority (check one): _____ State Attorney of the Second Judicial Circuit; _____ Special Prosecutor; or _____ Statewide Prosecutor, and _____ the arresting agency and the Sheriff of Leon County, all of whom will comply with the procedures set forth in section 943.0585, Florida Statutes, and appropriate regulations of the Department of Law Enforcement, and all of whom will forward a copy of this order to any agency that their records reflect has received the instant criminal history record information.

ORDERED and ADJUDGED that the _____ (arresting agency) shall expunge all information concerning indicia of arrest or criminal history record information regarding this defendant/petitioner in accordance with the procedures set forth in section 943.0585, Florida Statutes, and Florida Rule of Criminal Procedure 3.692.

ORDERED and ADJUDGED that all costs of certified copies involved herein are to be paid by the _____.

DONE and ORDERED at Tallahassee, Leon County, Florida this _____ day of _____, _____.

COUNTY JUDGE