

STATE OF NORTH CAROLINA

File No.

Scan No.(s)

_____ County

NOTE: This petition, which is filed by the district attorney, does **not** require the payment of a filing fee.

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS

Name And Address Of Defendant (type or print full name)

DISTRICT ATTORNEY PETITION AND ORDER OF EXPUNCTION UNDER G.S. 15A-145.8A (NON-TRAFFIC MISDEMEANOR OR FELONY UNDER AGE 18 COMMITTED BEFORE RAISE THE AGE)

Drivers License No.	State	Race	Sex
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Date Of Birth	Full Social Security No.	Age At Time Of Offense
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G.S. 15A-145.8A, 15A-150

NOTE TO DISTRICT ATTORNEY: List the arresting agency and any State or local government agency that has a record of the defendant's case(s). You **must** provide complete information for each agency. The clerk of superior court will send a copy of this order, if granted, to the agency name(s) and address(es) provided below. Do not list the courts, the State Bureau of Investigation, the Department of Adult Correction, or the Division of Motor Vehicles; if the order is granted, those agencies will be notified automatically. Do not list any private entity, like a company that provides criminal background checks. The clerk will not send a copy of this order to any entity that is not an agency of the State of North Carolina or one of its local governments. A private entity required to expunge records will be notified directly by the State or local agencies that distribute criminal justice information to that entity.

Name And Address Of Arresting Agency	Name And Address Of Other Agency (if any)	Name And Address Of Other Agency (if any)
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Check here to indicate that additional agencies and/or additional file nos. and offenses are listed on an AOC-CR-285 form that is attached to this petition. (attach form)

File No.(s)	Date Of Arrest	Offense Description	Date Of Offense	Disposition	Date Of Disposition/Conviction

PETITION TO EXPUNGE

I hereby petition for an expunction pursuant to G.S. 15A-145.8A and certify as follows:

- In this court of the county named above, the defendant was convicted of the felony(ies) and/or misdemeanor(s) listed above, and further certify that:
 - No offense listed above is more serious than a Class H felony.
 - No offense listed above is among the exceptions in G.S. 15A-145.8A(b).
- At the time the offense(s) was (were) committed, the defendant was less than 18 years of age but at least 16 years of age.
- The offense(s) listed above was (were) committed prior to December 1, 2019.
- This petition is being filed after any active sentence, period of probation, and post-release supervision ordered for the offense(s) has been completed.
- The defendant has no restitution orders, or outstanding civil judgments representing amounts ordered for restitution for the offense, against him or her.
- The district attorney's office has made its best efforts to contact the victim(s), if any, of the offense(s) listed above to notify the victim(s) of the request for expunction prior to the date of the hearing. As of the date of filing of this petition, the victim(s) has has not requested the opportunity to be heard at the hearing.

I certify that this petition has been filed in this case and that the information set forth above is a complete and accurate statement of the information on file in the office of the clerk of superior court.

Date	District Attorney Name (type or print)	Signature
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FINDINGS OF FACT

After a hearing on the petition, the Court makes the following findings of fact:

- 1. The defendant was convicted of the felony(ies) and/or misdemeanor(s) listed above.
- 2. Each offense(s) listed above is a misdemeanor or Class H or I felony eligible for expunction under G.S. 15A-145.8A.
- 3. At the time the offense(s) was (were) committed, the defendant was less than 18 years of age but at least 16 years of age.
- 4. Each offense(s) listed above was committed prior to December 1, 2019.
- 5. The defendant has completed any active sentence, period of probation, and post-release supervision ordered for the offense.
- 6. The defendant has no restitution orders or outstanding civil judgments representing amounts ordered for restitution entered against him/her.
- 7. The district attorney's office made its best efforts to contact the victim(s) of the offense(s) listed above.
 - a. A victim(s) of the offense(s) listed above did did not make a request to be present at the hearing on this petition for expunction.
 - b. A victim(s) of the offense(s) listed above was was not present at the hearing on this petition for expunction.
 - c. The Court has has not considered the victim's views and concerns.
- 8. The defendant is is not eligible for an expunction of the offense(s) listed on Side One. If not eligible, it is because:

ORDER

Therefore, the Court hereby ORDERS:

- 1. The petition is granted. It is ordered that any and all entries relating to the defendant's apprehension, charge, trial, or conviction shall be expunged from the records of the court. All law enforcement agencies, the Department of Adult Correction, the Division of Motor Vehicles, and any other State or local government agency identified on Side One and on any AOC-CR-285 form that is attached to this petition shall expunge from all official records any entries relating to the person's charge or conviction. The Division of Motor Vehicles shall not expunge records for which expunction is otherwise prohibited by G.S. 15A-151.
- 2. For the reason(s) identified in Finding No. 8, the petition is denied.

NOTE TO CLERK: *If denied, file this Order in the case file. Upon expiration of the deadline for appeal from a denial of this Order, destroy any documentation provided with the petition. If granted, send a certified copy of this Order to the defendant at the address listed on Side One or an updated address as provided by the petitioner.*

Date	Name Of Presiding Judge (type or print)	Signature Of Presiding Judge
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CERTIFICATION BY CLERK

I hereby certify that this form is a true and complete copy of the original in this case, and if granted, a certified copy of this Order was sent on the date shown below to the defendant, the State Bureau of Investigation, the Department of Adult Correction, the Division of Motor Vehicles, and to the arresting agency and any other State or local government agency identified on Side One and on any attachment to this petition.

Date	Name (type or print)	Signature Of Clerk	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> Clerk Of Superior Court	SEAL
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NOTE TO CLERK: *If granted, always send a certified copy of this Order under seal to the defendant, to all the agencies listed in Certification By Clerk above, and to the NCAOC. Send copies for the arresting agency and additional agencies to the addresses provided by the petitioner. Send SBI, DAC, DMV, and NCAOC copies to:*

State Bureau of Investigation Attn: Expunction Unit 3320 Garner Road Raleigh, NC 27610	NC Department of Adult Correction Attn: Combined Records Section 4226 Mail Service Center Raleigh, NC 27699-4226	NC Division of Motor Vehicles, Driver and Vehicle Services, Driver Assistance Branch Attn: Hearings/Adjudication Unit 3118 Mail Service Center Raleigh, NC 27699-3118	NC Administrative Office of the Courts Attn: Records Officer PO Box 2448 Raleigh, NC 27602
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NOTE TO DISTRICT ATTORNEY: *If this petition is granted, the clerk of superior court will send the defendant a certified copy of the final order for his or her records at the address listed on Side One. If the defendant has moved, you must notify the clerk in writing of the defendant's change of address in order for the defendant to receive a certified copy. After the case is expunged, the clerk of superior court will have no record of the case and will be unable to provide the defendant with any documentation of the case. This includes the expunction order; it will be destroyed with the case file.*