

STATE OF LOUISIANA

NO. _____ DIV _____

VERSUS

_____ JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

MOTION FOR INTERIM 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) (MI)

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

GENDER Female Male

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

RACE: _____

DRIVER LIC.# _____

ARRESTING AGENCY: _____

SID# (if available): _____

ARREST NUMBER: _____

Mover is entitled to an interim expungement of the entry of the felony charge(s) of his arrest pursuant to Louisiana Code of Criminal Procedure Article 985.1 and states the following in support:

II. ARREST INFORMATION

- Mover was arrested on ____/____/____ (MM/DD/YYYY)
- YES NO A supplemental sheet with arrests and/or convictions is attached after page 2 of this Motion.
- Mover was:
YES NO Arrested for a felony offense.
YES NO Convicted of a misdemeanor arising out of that felony offense.
- Mover was booked and/or charged with the following offenses: (List each offense booked and charged separately. Attach a supplemental sheet, if necessary.)

	Yes	No	FELONY ARREST THAT RESULTED IN A MISDEMEANOR CONVICTION
--	------------	-----------	--

ITEM NO. 1	La. Rev. Stat. Ann.	§ _____ :	
	Name of the offense		_____ / ____ / ____ (MM/DD/YYYY)
			Felony charge dismissed.
			Convicted of misdemeanor offense arising out of felony arrest.

- Mover has attached to his Motion a criminal background check from the Louisiana State Police/Parish Sheriff dated within the past thirty days (required).

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 Louisiana Bureau of Identification and Investigation to expunge the entry of the felony charge(s) listed contained in the criminal history; and further that the Clerk of Court, District Attorney, and arresting law enforcement agency expunge the entry of those felony charge(s) from any public indices.

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

Attorney for Mover/Defendant Name

Attorney's Bar Roll No.

Address

City, State, ZIP Code

Telephone Number

If not represented by counsel:

Signature of Mover/Defendant

Mover/Defendant Name

Address

City, State, ZIP Code

Telephone Number

PLEASE SERVE:

1. District Attorney _____

2. Louisiana Bureau of Criminal Identification and Information _____

3. Arresting Agency _____

STATE OF LOUISIANA

NO. _____ DIV _____

VERSUS

_____ JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

ORDER

IT IS HEREBY ORDERED,

If there is an objection to the Motion for Expungement, the district attorney and the arresting law enforcement agency shall file a motion to object within sixty days of the service of this Order.

If the Louisiana Bureau of Criminal Identification and Information objects to the Motion for Expungement, they shall file a motion within 120 days of the service of this order (prior to August 1, 2015) and within 60 days of service of this order (after August 1, 2015).

NO CONTRADICTION HEARING SHALL BE REQUIRED as evidenced by the "Affidavit of No Opposition" executed by each agency named herein and attached to the Motion for Expungement.

THUS ORDERED AND SIGNED this _____ day of _____,
20 ____ at _____, Louisiana.

JUDGE

Printed Name

PLEASE SERVE:

1. District Attorney: _____
2. Louisiana Bureau of Criminal Identification and Information _____
3. Arresting Agency: _____

STATE OF LOUISIANA

NO. _____ DIV _____

VERSUS

_____ JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

AFFIDAVIT OF RESPONSE

Pursuant to Louisiana Code of Criminal Procedure Article 980, the District Attorney for the Parish of _____ acknowledges the following:

No Opposition. Respondent respectfully consents to waiver of the contradictory hearing.

Opposition to the Motion of Expungement with Reasons. Respondent respectfully requests a contradictory hearing.

OR

Pursuant to Louisiana Code of Criminal Procedure Article 980, the Louisiana Bureau of Criminal Identification and Information acknowledges the following:

No Opposition. Respondent respectfully consents to waiver of the contradictory hearing.

Opposition to the Motion of Expungement with Reasons. Respondent respectfully requests a contradictory hearing.

OR

Pursuant to Louisiana Code of Criminal Procedure Article 980, the arresting law enforcement agency _____ acknowledges the following:

No Opposition. Respondent respectfully consents to waiver of the contradictory hearing.

Opposition to the Motion of Expungement with Reasons. Respondent respectfully requests a contradictory hearing.

Signature of District Attorney

Print Name

Signature of Louisiana Bureau of Criminal Identification and Information

Print Name

Signature of the Arresting Law Enforcement Agency

Print Name

PLEASE SERVE:

1. District Attorney: _____
2. Louisiana Bureau of Criminal Identification and Information _____
3. The Arresting Law Enforcement Agency _____

STATE OF LOUISIANA

NO _____ DIV. _____

VERSUS

_____ JUDICIAL DISTRICT COURT

PARISH OF _____

STATE OF LOUISIANA

ORDER OF EXPUNGEMENT OF INTERIM ARREST RECORD

Considering the Motion for Expungement

The hearing conducted and evidence adduced herein, OR

Affidavits of No Opposition filed,

IT IS ORDERED, ADJUDGED AND DECREED

THE MOTION IS DENIED for the following reasons (check all that apply):

Mover was not arrested for a felony.

Mover was not convicted of a misdemeanor offense.

THE MOTION IS HEREBY GRANTED and the Louisiana Bureau of Criminal Identification and Information is hereby ordered to expunge the entry of the felony charge(s) contained in the criminal history of the above-named for the following felony charge(s):

La. R.S. _____: _____
Name of Offense _____
La. R.S. _____: _____
Name of Offense _____

IT IS FURTHER ORDERED that the Clerk of Court, District Attorney and arresting agency expunge the entry of the felony charge(s) from any public indices of the above-named on the above enumerated charge(s).

THUS ORDERED AND SIGNED this _____ day of _____, 20 _____
at _____, Louisiana.

JUDGE

Print Name

PLEASE SERVE:

1. District Attorney _____
2. Louisiana Bureau of Criminal Identification and Information _____
3. Arresting Agency _____