

# CRIMINAL DISTRICT COURT ORLEANS PARISH

## EXPUNGEMENT PROCEDURES

**A. MISDEMEANOR OR FELONY CONVICTION – may be eligible if more than five years (for Misdemeanors with no felonies) or more than ten years (for Felonies) have passed since the completion of any sentence or period of probation and parole and there are no pending criminal charges.**

1. Go to District Attorney's Office (619 South White Street) to obtain an expungement certification. Bring a form of photo identification with you.
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from court record. Packet may also be downloaded [www.criminalcourt.org](http://www.criminalcourt.org).
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the certification and background check to the motion.
  - i. Only complete the expungement portion of the packet; not the Motion to Set Aside Conviction and Dismiss Prosecution.
  - ii. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return with the completed packet go to Room 104 to pay your **non-refundable fee**. Take your completed motion and receipt to Room 210 for filing.

**B. 893(E) OR 894(B) DISMISSAL – may be eligible if you pled guilty pursuant to Louisiana Code of Criminal Procedure Article 893 (for Felonies) or Article 894 (for Misdemeanors)**

1. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from court record. Packet may also be downloaded [www.criminalcourt.org](http://www.criminalcourt.org).
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Prepare a Motion to Set Aside Conviction and Dismiss Prosecution **and** a Motion for Expungement.
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the background check to the motion.
  - i. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return with the completed packet go to Room 104 to pay your **non-refundable fee**. Take your completed motion and receipt to Room 210 for filing.

**C. ARRESTS ONLY – may be eligible if you were arrested and charges were refused or you were acquitted (i.e. a nolle prosequi was entered or you were found not guilty)**

1. Go to District Attorney's Office (619 South White Street) to request a fee waiver certification. Bring a form of photo identification with you.
2. Obtain a background check from Louisiana State Police or the Clerk of Court.
3. Go to the Clerk of Criminal District Court's Office (Room 210) to obtain an expungement packet and request pertinent documents from court record. Packet may also be downloaded [www.criminalcourt.org](http://www.criminalcourt.org).
4. Fill out the packet completely. Make sure you provide accurate contact information so you can be notified of your next court date. Attach the background check to the motion.
  - i. Only complete the expungement portion of the packet; **not** the Motion to Set Aside Conviction and Dismiss Prosecution.
  - ii. If you need help filling out the packet, please see an attorney or contact the listed agency below.
5. When you return the completed packet go to Room 104 to pay your **non-refundable fee**. Take your completed motion and receipt to Room 210 for filing.

### **EXPUNGEMENT PROCESSING FEE:**

- The processing fee for an expungement is \$550. The \$550 fee **must** be paid in Room 104 at the time of the filing of the motion for expungement. Fees must be paid prior to a judge signing the order. Please note that judges **cannot waive** any part of these fees.
- The fee is **NON-REFUNDABLE** and should be made payable to Clerk of Criminal District Court.
- Forms of payment: Cash, Money Order, Credit Card or Cashier's Check. **No personal checks are accepted.** For Arrests Only, fee waivers may be requested through the District Attorney's Office.

### **IMPORTANT NOTES:**

- Eligibility for dismissal/expungement is controlled by La. C.Cr.P. Article 971 et seq and motions may be denied at any time if application does not comply with law.
- By law, the Clerk of Court shall not provide any legal advice on how to prepare legal documents. You will need to consult with an attorney if unable to complete pro se.
- Once motion is filed with Clerk of Court, it will be forwarded to the appropriate section of court and a hearing date **may** be set. You and/or your attorney will need to be present in court on that day unless otherwise contacted by the Court. The Clerk of Court will mail a notice of the court date.
- Once expungement is granted, you will be provided with 2 certified copies which may be obtained from the Clerk of Court in Room 210.
- Only one individual may have something expunged per motion; only charges arising out of the same date of arrest may be expunged per motion.
- Mailing address: Clerk of Criminal District Court, 2700 Tulane Avenue, Room 114, New Orleans, LA 70119 ATTN: Expungement Clerk



STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**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: NOPD

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

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**AFFIDAVIT OF RESPONSE**

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

- ☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.
- ☐ **Opposition to the Motion of Expungement/Interim 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/Interim Expungement with Reasons.**  
Respondent respectfully requests a contradictory hearing.

**OR**

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

- ☐ **No Opposition.** Respondent respectfully consents to waiver of the contradictory hearing.
- ☐ **Opposition to the Motion of Expungement/Interim Expungement with Reasons.**  
Respondent respectfully requests a contradictory hearing.

Respectfully submitted,

\_\_\_\_\_  
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



STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**ORDER**

**IT IS HEREBY ORDERED,**

If there is an objection to the Motion for Expungement/Interim Expungement, the district attorney and the arresting law enforcement agency shall file a motion to object within 60 days of the service of this Order.

If the Louisiana Bureau of Criminal Identification and Information objects to the Motion for Expungement/Interim Expungement, they shall file a motion within 60 days of service of this Order.

**NO CONTRADICTIONARY 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/Interim Expungement.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_ at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE THE FOLLOWING:**

- 1) District Attorney: JASON WILLIAMS, 619 S. WHITE ST. NEW ORLEANS, LA 70119  
(Name and Address)
- 2) LA Bureau of Criminal Identification and Information: Louisiana State Police, Superintendent of Records, 7919 Independence Blvd., Baton Rouge, LA 70806
- 3) Arresting Agency: NOPD 715 S. BROAD ST. NEW ORLEANS, LA 70119  
(Name and Address)

**CERTIFICATE OF SERVICE**

Pursuant to LA CCrP Article 979, I hereby certify that I have served the foregoing Motion for Expungement/Interim Expungement, Affidavit of Response and Order to the named entities as listed above on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by:

☐ Placing in U.S. Mail

☐ Electronic Transmission

\_\_\_\_\_  
Deputy Clerk of Court

Parish of Orleans

STATE OF LOUISIANA

NO. \_\_\_\_\_ DIV \_\_\_\_\_

VERSUS

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**ORDER OF EXPUNGEMENT OF ARREST/CONVICTION 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 No(s). \_\_\_\_\_ for the  
following reasons (check all that apply):

- ☐ More than five years have not elapsed since Mover completed the misdemeanor conviction sentence.
- ☐ More than ten years have not elapsed since Mover completed the felony conviction sentence.
- ☐ Mover was convicted of one of the following ineligible felony offenses:
- ☐ A violation of the Uniform Controlled Dangerous Substances Law which is ineligible to be expunged.
- ☐ An offense currently listed as a sex offense that requires registration pursuant to La. Rev. Stat. Ann. 15:540 et seq., at the time the Motion was filed, regardless of whether the duty to register was ever imposed.
- ☐ An offense defined or enumerated as a "crime of violence" pursuant to La. Rev. Stat. Ann. 14:2(B) at the time the motion was filed.
- ☐ The arrest and conviction being sought to have expunged is for operating a motor vehicle while intoxicated and a copy of the proof from the Department of Public Safety and Corrections, office of motor vehicles, is not attached as required by C.Cr.P. Art. 984(A).
- ☐ Mover was convicted of a misdemeanor which arose from circumstances involving or is the result of an arrest for a sex offense as defined in R.S. 15:541.
- ☐ Mover was convicted of a domestic abuse battery.
- ☐ Mover was convicted of misdemeanor stalking as defined in R.S. 14:40.2
- ☐ Mover did not complete pretrial diversion.
- ☐ The charges against the mover were not dismissed or refused.
- ☐ Mover's felony conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 893(E).
- ☐ Mover's misdemeanor conviction was not set aside and dismissed pursuant to Code of Criminal Procedure Article 894(B).
- ☐ Mover completed a DWI pretrial diversion program, but five years have not elapsed since the mover's date of arrest.
- ☐ Mover's conviction for felony carnal knowledge of a juvenile is not defined as misdemeanor carnal knowledge of a juvenile had the mover been convicted on or after August 15, 2001.



- ☐ Denial for any other reason provided by law with attached reasons for denial.



SID# (if available): \_\_\_\_\_

ARREST NUMBER (ATN): \_\_\_\_\_

AGENCY ITEM NUMBER: \_\_\_\_\_

ARREST DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_ (MM/DD/YYYY)

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

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE THE FOLLOWING:**

1. District Attorney: JASON WILLIAMS, 619 S. WHITE ST. N.O., LA 70119  
(Name and Address)
2. Louisiana Bureau of Criminal Identification and Information: Louisiana State Police, Superintendent of Records, 7919 Independence Blvd., Baton Rouge, LA 70806
3. Arresting Agency: NOPD, 715 S. BROAD ST. N.O., LA 70119  
(Name and Address)
4. Sheriff: OPSO, 819 S. BROAD ST. N.O., LA 70119  
(Name and Address)
5. Attorney for Defendant (or defendant): \_\_\_\_\_  
(Name and Address)
6. Clerk of Court: 2700 TULANE AVE. RM 114, N.O., LA 70119  
(Name and Address)

**CERTIFICATE OF SERVICE**

Pursuant to LA CCrP Article 979, I hereby certify that I have served the foregoing Order of Expungement to the named entities as listed above on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

☐ Placing in U.S. Mail

☐ Electronic Transmission

\_\_\_\_\_  
Deputy Clerk of Court

Parish of Orleans



Jason R. Williams  
Orleans Parish District Attorney  
619 South White Street  
New Orleans, Louisiana 70119  
(504) 822-2414

STATE OF LOUISIANA,  
CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS;  
CITY OF NEW ORLEANS TRAFFIC AND MUNICIPAL COURT;  
CITY OF NEW ORLEANS JUVENILE COURT

STATE OF LOUISIANA vs. \_\_\_\_\_

No. \_\_\_\_\_

Section “ \_\_\_\_\_ ”

CERTIFICATION LETTER

**Instructions:** Applicant should complete the top section of the form and submit it to the District Attorney's Office prior to filing. OPDA will complete the bottom section of the form within two weeks of submission, and return it to the applicant via email and have it available for pick-up at the front desk. Include completed form with your Motion for Expungement. Questions can be directed to [expungements@orleansda.com](mailto:expungements@orleansda.com).

|                               |  |                            |              |
|-------------------------------|--|----------------------------|--------------|
| NAME<br>(FIRST MI LAST)       |  |                            |              |
| DATE OF BIRTH<br>(MM/DD/YYYY) |  | SSN<br>(Last Four Digits)  | XXX-XX-_____ |
| RACE                          |  | SEX                        |              |
| PHONE NUMBER                  |  | EMAIL ADDRESS              |              |
| ARREST DATE                   |  | ITEM #<br>(Ex: A-12345-20) |              |
| DOCKET NUMBER                 |  |                            |              |
| CHARGES                       |  |                            |              |
| APPLICANT SIGNATURE           |  |                            |              |

*In accordance with Article 971 et seq. of the Louisiana Code of Criminal Procedure, the Office of the District Attorney of Orleans Parish has reviewed the available databases and determined that (Check one):*

- ☐ The arrest resulted in a **conviction of a misdemeanor**, and the applicant has no felony convictions during the five-year period, and no pending felony charges under a bill of information or indictment [Art 977(A)(2)]
- ☐ The arrest resulted in a **conviction of a felony**, and the applicant has no convictions during the ten-year period, and no pending charges under a bill of information or indictment [Art. 978(A)(2), 978(E)(2)]
- ☐ Based on review by the DA's office, **certification is unnecessary** for a motion for expungement (e.g., conviction was set aside pursuant to Art 977(A)(1) or Art 978(A)(1), person is entitled to a first offender pardon, or the arrest did not result in a conviction and time limitations for prosecution have expired, see Art 976, etc.).

\_\_\_\_\_  
ADA/Investigator Name

\_\_\_\_\_  
ADA/Investigator Signature and Date





Jason R. Williams  
Orleans Parish District Attorney  
619 South White Street  
New Orleans, Louisiana 70119  
(504) 822-2414

STATE OF LOUISIANA,  
CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS;  
CITY OF NEW ORLEANS TRAFFIC AND MUNICIPAL COURT;  
CITY OF NEW ORLEANS JUVENILE  
COURT

STATE OF LOUISIANA vs. \_\_\_\_\_

No. \_\_\_\_\_

Section " \_\_\_\_\_ "

**FEE WAIVER CERTIFICATION**

**Instructions:** Applicant should complete the top section of the form and submit it to the District Attorney's Office prior to filing. OPDA will complete the bottom section of the form within two weeks of submission, and return it to the applicant via email and have it available for pick-up at the front desk. Include completed form with your Motion for Expungement, only if eligible. Questions can be directed to [expungements@orleansda.com](mailto:expungements@orleansda.com).

|                               |  |                           |              |
|-------------------------------|--|---------------------------|--------------|
| NAME<br>(FIRST MI LAST)       |  |                           |              |
| DATE OF BIRTH<br>(MM/DD/YYYY) |  | SSN<br>(Last Four Digits) | XXX-XX-_____ |
| RACE                          |  | SEX                       |              |
| PHONE NUMBER                  |  | EMAIL ADDRESS             |              |
| ARREST DATE                   |  | ITEM #                    |              |
| DOCKET NUMBER                 |  |                           |              |
| CHARGES                       |  |                           |              |
| APPLICANT SIGNATURE           |  |                           |              |

*In accordance with Louisiana Code of Criminal Procedure Article 983, the Office of the District Attorney has reviewed the Available databases and determined that (Check all that apply).*

- ☐ The applicant listed above has **NO FELONY CONVICTIONS**.

AND

- ☐ The applicant listed above has **NO PENDING FELONY CHARGES UNDER A BILL OF INDICTMENT OR INFORMATION**

AND

*(Choose one of the following)*

- ☐ The applicant listed above **WAS ACQUITTED** after trial of all charges derived from the arrest listed above, including any lesser and included offenses, OR
- ☐ The applicant listed above was **NOT PROSECUTED WITHIN THE TIME LIMITATIONS** Prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure and the applicant **did not participate in a pretrial diversion program** for the arrest listed above, OR
- ☐ The case involving the applicant listed above was **DISMISSED AFTER THE INSTITUTION OF PROSECUTION BY THE DISTRICT ATTORNEY OR THE DISTRICT ATTORNEY DECLINED TO PROSECUTE** the case prior to the time limitations prescribed in Chapter 1 of Title XVII of the Code of Criminal Procedure, and the **applicant did not participate in a pretrial diversion program**, OR
- ☐ The applicant listed above has been **determined to be factually innocent** and entitled to compensation for a wrongful conviction pursuant to the provisions of R.S. 15:572. 8, OR
- ☐ The applicant listed above is a juvenile who has **successfully completed any juvenile drug court program** and is exempt from fees pursuant to Code of Criminal Procedure Article 983(G).

- ☐ Based on review by the DA's office, **we are unable to certify** that the applicant's arrest and/or conviction meet the above criteria, and cannot certify that the applicant is eligible for a fee waiver.

\_\_\_\_\_  
ADA/Investigator Name

\_\_\_\_\_  
ADA/Investigator Signature and Date

STATE OF LOUISIANA

VERSUS

NO. \_\_\_\_\_ DIV \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**MOTION TO SET ASIDE CONVICTION AND  
DISMISS PROSECUTION**

NOW INTO HONORABLE COURT, comes

☐ Defendant, OR

☐ Defendant through undersigned Counsel,

who moves that the conviction pursuant to Louisiana Code of Criminal Procedure

☐ 894(B) Misdemeanors, OR

☐ 893(E) Felonies

in the above numbered case be set aside and that the prosecution dismissed in accordance with the Code of Criminal Procedure in that the period of the deferred sentence has run and petitioner has successfully completed the terms of his probation.

The mover is further identified below:

DOCKET NUMBER: \_\_\_\_\_

CHARGE: \_\_\_\_\_

DATE OF ARREST: \_\_\_\_\_

ARRESTING AGENCY: \_\_\_\_\_

CITY/PARISH OF ARREST: Orleans

The Mover prays that, after a contradictory hearing with the District Attorney's Office, the Court order the above numbered case be set aside and that the prosecution dismissed in accordance with the Code of Criminal Procedure.

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



STATE OF LOUISIANA

VERSUS

NO. \_\_\_\_\_ DIV \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**RULE TO SHOW CAUSE**

**IT IS HEREBY ORDERED**, that the District Attorney show cause on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_m why the foregoing motion  
should not be granted.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
PRINTED NAME

**PLEASE SERVE:**

1. District Attorney: JASON WILLIAMS, 619 S. WHITE ST. NEW ORLEANS, LA 70119
2. Attorney for Defendant and/or Defendant \_\_\_\_\_

STATE OF LOUISIANA

VERSUS

\_\_\_\_\_

NO. \_\_\_\_\_ DIV \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT COURT

PARISH OF Orleans

STATE OF LOUISIANA

**ORDER OF DISMISSAL**

Considering the Motion to Set Aside Conviction and Dismiss Prosecution, the hearing conducted on the representation of the State of Louisiana of its consent hereto, and that there is no opposition for any good cause appearing herein;

**IT IS ORDERED, ADJUDGED AND DECREED** that this conviction is set aside and the prosecution dismissed for purposes of expungement.

**THUS ORDERED AND SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_ at \_\_\_\_\_, Louisiana.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Print Name

**PLEASE SERVE:**

1. District Attorney: JASON WILLIAMS, 619 S. WHITE ST. NEW ORLEANS, LA 70119
2. Attorney for Defendant and/or Defendant \_\_\_\_\_