

**PETITION FOR EXPUNGEMENT
FILED IN A CIRCUIT COURT –
ACQUITTAL/DISMISSAL**
Commonwealth of Virginia

Case No.

..... Circuit Court
CITY OR COUNTY

.....
STREET ADDRESS OF COURT

..... v. Commonwealth of Virginia
NAME OF PETITIONER

1. This petition to expunge the police and court records, including electronic records, relating to the charge(s) detailed in Part 2 (below) is based on subsection A of § 19.2-392.2, as the petitioner was charged with the commission of a crime or offense AND (CHECK ONE)

- has been acquitted of the charge.
- a nolle prosequi of the charge has been taken or the charge has been otherwise dismissed, including dismissal by accord and satisfaction pursuant to Virginia Code Section 19.2-151.

2. I further state that:

Petitioner's date of birth is:

Petitioner's full name at the time of arrest:

Specific charge(s) to be expunged:

A copy of the warrant or indictment is attached to this petition. Underlying Case No.(s)

Date of arrest: Name of arresting agency:

A copy of the warrant or indictment date of arrest or name of arresting agency is not reasonably available because (state reason this information is not available):

.....
Date of final disposition of charge(s): Court disposing of charge(s):

The continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner. For this reason, I request that the police and court records, including electronic records, relating to the charge(s) be expunged and that a copy of any order of expungement be forwarded to the Department of State Police pursuant to subsection K of § 19.2-392.2.

.....
DATE

.....
SIGNATURE OF PETITIONER ATTORNEY FOR PETITIONER

.....
PRINT NAME

.....
ADDRESS/TELEPHONE NUMBER OF PETITIONER ATTORNEY FOR PETITIONER

I certify that I provided the petitioner a certified copy of this petition. Hearing date and time:

.....
DATE

.....
CLERK

Checklist for petitioner:

- File completed PETITION FOR EXPUNGEMENT FILED IN A CIRCUIT COURT – ACQUITTAL/DISMISSAL in the circuit court of the county or city in which the charge(s) was disposed of, together with all applicable fees and costs and, if required by the clerk of the court, a completed COVER SHEET FOR FILING CIVIL ACTIONS, circuit court form CC-1416.
- Obtain one complete set of fingerprints from a law-enforcement agency and provide a copy of this petition to such law-enforcement agency.
- Have a copy of this petition served on the Commonwealth's Attorney in the county or city in which the PETITION FOR EXPUNGEMENT FILED IN A CIRCUIT COURT – ACQUITTAL/DISMISSAL is filed.

EXPUNGEMENT ORDER

Commonwealth of Virginia

DINWIDDIE COUNTY

Case No. _____

Circuit Court

CITY OR COUNTY

NAME OF [] PETITIONER [] SUBJECT OF WRIT OF ACTUAL INNOCENCE

[] The petitioner is seeking relief pursuant to subsection A of Va. Code § 19.2-392.2 because the petitioner was charged with the commission of the following crime(s) or offense(s)

AND

[] has been acquitted of the charge(s).

[] a nolle prosequi of the charge(s) has been taken or the charge(s) have been otherwise dismissed, including dismissal by accord and satisfaction pursuant to Va. Code § 19.2-151.

After receiving the criminal history record information from the Central Criminal Records Exchange (CCRE) and conducting a hearing on the petition,

[] the court FINDS that

[] the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner

[] the petitioner has no prior criminal record, the arrest was for a misdemeanor and the Commonwealth has not shown good cause why the police and court records relating to the charge should not be expunged

[] The petitioner is seeking relief pursuant to subsection I of Va. Code § 19.2-392.2 because the petitioner has been granted an absolute pardon for a crime that he did not commit and the court FINDS that such relief is proper

[] The court has received the attached copy of a writ of actual innocence pursuant to § 19.2-327.5 or § 19.2-327.13 vacating a conviction

and therefore the court ORDERS that:

- the police and court records, including electronic records, relating to such charge(s) be expunged pursuant to [] subsection F (acquittal/dismissal) [] subsection I (absolute pardon) [] subsection J (writ of actual innocence) of Va. Code § 19.2-392.2 AND
- the clerk of this court shall send a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or writ of actual innocence, to the Department of State Police to be acted upon in accordance with the rules and regulations adopted pursuant to Va. Code § 9.1-134.

[] the court FINDS that the statutory requirements for expungement have not been satisfied and therefore, the court ORDERS that the petition be denied.

DATE

JUDGE

I certify that I forwarded a copy of this ORDER, along with a copy of the PETITION FOR EXPUNGEMENT or a copy of the writ of actual innocence, to the Virginia Department of State Police

on

DATE

CLERK